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REPORTS

FROM

COMMITTEES:

SIXTEEN VOLUMES.

—*(12.)*—

ORANGE LODGES IN IRELAND.

Session

19 *February*——10 *September* 1835.

VOL. XVI.

1835.

REPORTS FROM COMMITTEES:

1835.

SIXTEEN VOLUMES:—CONTENTS OF THE

TWELFTH VOLUME.

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ORANGE LODGES:

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THIRD

REPORT

FROM THE

SELECT COMMITTEE

APPOINTED TO INQUIRE INTO

THE NATURE, CHARACTER, EXTENT AND TENDENCY

OF

ORANGE LODGES, ASSOCIATIONS OR SOCIETIES IN IRELAND;

WITH THE

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
6 *August* 1835.

Lunæ, 23° *die Martii*, 1835.

Ordered, That a Select Committee be appointed to inquire into the nature, character, extent and tendency of Orange Lodges, Associations or Societies in Ireland, and to report their Opinion thereon to The House:—And a Committee was appointed of—

Mr. Finn.
Mr. O'Connell.
Mr. Sheil.
Mr. Wyse.
Mr. Jackson.
Lord Viscount Ebrington.
Mr. Wilson Patten.
Mr. Pease.
Mr. Bethel.
Mr. Edward Buller.
Mr. Cutlar Fergusson.
Colonel Wood.
Mr. Edward John Stanley.
Mr. Fox Maule.
Lord Viscount Castlereagh.
Mr. Bannerman.
Mr. Shaw.
Mr. Spring Rice.
Mr. Maxwell.
Mr. Ward.
Mr. Nicholl.
Mr. O'Loghlen.
Mr. Alexander Pringle.
Sir James Graham.
Sir John Yarde Buller.
Colonel Conolly.
Colonel Perceval.

Ordered, That the Committee have power to send for Persons, Papers and Records.

Ordered, That Five be the Quorum of the Committee.

Martis, 24° *die Martii*, 1835.

Ordered, That Mr. Shaw and Colonel Perceval be discharged from further attendance on the Committee.

Mercurii, 25° *die Martii*, 1835.

Ordered, That Mr. Finch and Mr. Grove Price be added to the Committee.

Veneris, 15° *die Maii*, 1835.

Ordered, That Mr. Chancellor of the Exchequer and Mr. Cutlar Fergusson be added to the Committee.

Martis, 19° *die Maii*, 1835.

Ordered, That Mr. Chancellor of the Exchequer, Mr. Cutlar Fergusson, Mr. Fox Maule and Mr. Edward John Stanley be discharged from further attendance on the Committee; and that Mr. Divett, Mr. J. Ponsonby, Mr. Gisborne and Mr. Poulter be added thereto.

Lunæ, 1° *die Junii*, 1835.

Ordered, That Lord Viscount Milton be added to the Committee.

Veneris, 12° *die Junii*, 1835.

Ordered, That Sir Edmund Hayes be added to the Committee; and that Colonel Conolly be excused from further attendance thereon.

Veneris, 17° *die Julii*, 1835.

Ordered, That Mr. Gisborne be excused from further attendance on the Committee, and that Mr. Macleod be added thereto.

Lunæ, 20° *die Julii*, 1835.

Ordered, That the Committee have power to report the Minutes of the Evidence taken before them, from time to time, to The House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the NATURE, CHARACTER, EXTENT and TENDENCY of ORANGE LODGES, ASSOCIATIONS or SOCIETIES in *Ireland*, and to Report their Opinion thereupon, and who were empowered to report the MINUTES of the EVIDENCE taken before them from time to time to The HOUSE:——

HAVE made a further progress in the matter referred to them, and beg leave to present this their THIRD REPORT to The HOUSE.

August 1835.

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MINUTES OF EVIDENCE.

Lunæ, 20° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE,

IN THE CHAIR.

Robert Mullen, M. D., called in; and Examined.

Robert Mullen, M. D.

20 July 1835.

6085. YOU reside in the county of Meath?—I reside at Drunshaughlin, in the county of Meath.

6086. You are a physician?—I am.

6087. Did you attend at the last election at Trim?—I did.

6088. Did you, at the last election at Trim, see any body of Orangemen?—I did; there were about 200 Orangemen attended at Trim, during the last election.

6089. Whence did these Orangemen come?—Some of them from the county of Kildare, some from the county of Westmeath, and more from the county of Cavan.

6090. Did they march in a body?—They marched two and two, I believe all armed, some with pistols, and some with daggers; I saw some of them armed myself.

6091. What did you see them do?—I saw a body of them march in the first day of the poll, and halt opposite Mr. Plunket's committee-room; they were addressed from the window by Mr. William Blayney Wade, a deputy lieutenant and magistrate of the county of Meath.

6092. From whence did Mr. Blayney Wade, a deputy lieutenant and magistrate of the county, address this armed body of Orangemen?—From the committee-room of the Honourable Mr. Plunket.

6093. Mr. Plunket is himself a member of the Orange Society?—He is, and so is Mr. Lambart, the other candidate; I believe it was the committee-room of both candidates, they united their interests.

6094. Both the candidates, in whose interest those Orangemen were, and to promote whose election they marched into the county of Meath, are Orangemen?—They are both Orangemen.

6095. Mr. Plunket is a functionary of the Orange Society, is he not?—I understand so.

6096. Do you see the name of the Honourable Randal Plunket in the list of the deputy grand masters of the Orange Society?—Yes; his is the last name upon the list.

6097. What did Mr. Blayney Wade say to the Orangemen?—I heard only his concluding observations, "Our chief reliance is upon you," or something to that effect. I walked up to hear, and he concluded as I arrived opposite to him.

6098. Did you see this armed body of Orangemen afterwards in the court-house, where the poll was carried on?—I did; I saw them before and afterwards; I saw the high sheriff, Sir William Somerville, take a dagger from one of them in the court-house.

6099. How did they get into the court-house?—The police always admitted them, though they offered every obstruction to the voters on our side; they admitted these Orangemen, though strangers to the county, and not voters.

Robert Mullen, M. D.

20 July 1835.

6100. Who was at the head of these Orangemen?—The Rev. Mr. Preston, of Kilmeague, in the county of Kildare, marched at the head of a party of them; he was pointed out to me.

6101. Had he a crucifix in his hand?—No, he had a pistol in his hand.

6102. Did you see this clergyman yourself at the head of this body?—A person was pointed out to me as the Rev. Mr. Preston.

6103. Have you any doubt he was the person?—No; a relation of his lives within three miles of me at Swainston; and I understood he stopped there every night during the election.

6104. You do not yourself know that it was Mr. Preston?—No, I did not know him.

6105. Those Orangemen, upon their departure from Meath, marched through Kells, did they not?—A party of them marched through Kells; some of them lived in Kells, and remained there on their return; but others marched on.

6106. On their way back, there was a man of the name of Henry, a Roman Catholic, killed, was there not?—I heard there was.

6107. Have you any doubt about it?—No.

6108. Was there not a coroner's inquest?—Yes; and three men were tried at the March assizes afterwards.

6109. Three of the Orangemen?—Yes.

6110. What was the verdict?—The jury did not agree; and they remain to be tried at the next assizes.

6111. Was there any doubt whatever entertained that this body of men were Orangemen?—Never.

6112. You say they were armed; did they carry their arms openly?—No, not openly; they sometimes did exhibit them; I saw some of them exhibited.

6113. You do not know they were all armed; but you judge, by some of them exhibiting their arms?—I was told they were all armed.

6114. How many did you see exhibit arms?—Perhaps seven or eight.

6115. Did you see the clergyman himself in particular armed?—I did see him exhibit his pistol.

6116. Under what circumstances did he exhibit his arms?—Not in a threatening manner; I think they had a wish to show that they were armed.

6117. Under what circumstances did he show his fire arms?—I was standing at the court-house door; he was coming down the street, and I saw him take out his pistol, and put it back again.

6118. Was there any tumult or provocation at the moment?—None whatever.

6119. Was he heading any considerable body?—He was at the head, I should think, of 16 or 18.

6120. Did any of the others, in company with him, show their arms?—Not at that time.

6121. Did he go into the court-house?—I did not see him in the court-house.

6122. What arms had the other persons, whom you saw show arms?—I saw pistols with seven or eight of them, and I saw a dagger taken from one in the court-house by the high sheriff.

6123. What occasioned the taking the dagger from that man in the court-house; did he show it, or was it from private information that it was concealed?—I think information was given to the sheriff that he had it, and the sheriff went and took it.

6124. You saw that?—Yes.

6125. He was one of those who had walked in procession?—I think he was; I am not certain that he walked in the procession, but he was pointed out to me as an Orangeman.

6126. You cannot say that he was one of those who had come in the procession headed by the clergyman?—I cannot say.

6127. Had any of them Orange ribbons?—I did not see any.

6128. Had they any music?—No.

6129. No colours or flags?—No.

6130. It was only on information you were led to say they were Orangemen?—The fact was admitted by Mr. Plunket and his friends, and he himself thanked them in a public address for their attendance at Trim.

6131. He thanked them as Orangemen?—Yes.

6132. Was that a published address?—It was published in the Dublin Evening Mail, part of it ran thus: "To those brave Orangemen who attended at Trim (I think he said "gratuitously," that was put in, I suppose because it said they were paid) my thanks are due, and he added, for the protection they afforded him."

6133. You say he addressed them from the window?—That was Mr. Wade not Mr. Plunket.

6134. When you say he addressed them, do you mean this body or any other?—Others were standing at a distance from the window; I came up to hear the speech, but the address was delivered to the Orangemen.

6135. Was this body he was addressing a body of strangers?—Yes, it was.

6136. Do you know personally the greater part of the inhabitants of the town in which you reside?—Indeed I do.

6137. Those persons he was addressing were not inhabitants of that town?—They were not, nor of the town of Trim.

6138. Can you speak to the number?—Of 200 perhaps drawn up before that window, I think that about 50 were Orangemen.

6139. Were there any lives lost at the election itself?—No life was lost except that at Kells.

6140. Is it not a very common thing that the Orangemen on returning home are attacked?—In the county of Meath we never had an Orange procession before; I cannot speak of any attack from my own knowledge.

6141. Do not you think there would be a very good chance in a Roman Catholic county if Orangemen were returning home two or three at a time that they should be attacked?—No, I think there was no disposition to do so, and if there had been a disposition they could have been all annihilated in ten minutes, armed as they were.

6142. Might it not be the case that going among a very numerous body of Catholics they might consider it necessary for their own security to carry arms with them?—They might think so, but I think that was more likely to provoke an attack upon them.

6143. Do you know in what manner the jury was composed who tried the individuals accused of the murder committed in returning home?—The jury was composed of six Roman Catholics and six Protestants, the six Protestants were for acquitting and the six Catholics for convicting the prisoners.

6144. Do you know whether any Orange Lodges have lately been established in the county of Meath?—One had been some time established at Summerhill. There were three lodges established last year; one at Trim, one at Kells, and one at Beaupark, the residence of Mr. Lambart.

6145. He was a deputy lieutenant of the county and a magistrate?—Yes.

6146. Do you consider that any circumstances in the political state of the south of Ireland of late would lead to the necessity of confederacy among Protestants for self-defence?—I do not think there were, and if I am asked my opinion, I think the circumstances which led to the increase of the Orange Societies was the opinion entertained from the change of administration of there being a chance of saving the tithes and the church establishment as it now stands.

6147. The preservation of church property was one of the causes of the increase of Orange Societies?—That is my opinion.

6148. Was not the state of that part of the country very disturbed about two years ago, and the south of Ireland generally?—Two years ago there was a great deal of agitation.

6149. Do not you remember Mr. Macaulay, a liberal member, stating that it was in a worse state than a civil war?—I do not remember his stating that, and I do not think it was the fact.

6150. Were many Roman Catholics armed?—I do not think many of them were.

6151. Did you ever hear that Mr. O'Connell had stated in his speech in Parliament that the Catholics in the north of Ireland were armed to a man?—I did hear that; I read his speech.

6152. Had you any connexion with the volunteer system as it was established about two years ago?—I was not a member of the Volunteer Association.

6153. You heard of its being instituted?—I did.

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20 July 1835

6154. Have you read a speech made by Mr. Steele?—He made several speeches; I do not know which is referred to.

6155. The speech referred to is that in which he spoke of allowing the people to go into his plantations to cut down wood to make pikes in the event of a public crisis taking place?—I recollect some speech of that kind.

6156. Are there any liberal clubs in your neighbourhood?—There is one in the county of Meath, of which I am a member and secretary.

6157. How many members are there?—One hundred and eighteen

6158. Do you recollect a letter which was written by Mr. O'Connell from Derrynane, in which he talked of the establishment of liberal clubs for, among other objects, the extinction of tithes and the repeal of the union?—I do.

6159. Were those the objects for which the liberal clubs were established in your neighbourhood?—Our club was established before that letter was written.

6160. Have they ever supposed since that letter was written those were among the objects they had to agitate?—They never have; we always applied ourselves exclusively to the registration of voters and the return of popular members to Parliament; we never interfered as a body in anything else.

6161. Have you heard of great outrages taking place, and intimidations on the part of Roman Catholics in the south of Ireland at elections?—I have.

6162. Have you heard that in the county of Carlow large bodies of military have been obliged to be introduced?—I have.

6163. Have you heard that landlords interfered with the voters right there?—More than in any other county of Ireland, I believe.

6164. Was Mr. Preston a voter for the county of Meath?—He was not.

6165. In your opinion nothing is more natural than that if the Protestants feel themselves in a state of peril they should associate for self-defence?—Nothing more natural.

6166. Did you never hear that a liberal member, Mr. Macaulay, compared the volunteer system to the jacobin system in France, and said that the correspondence in them was almost perfect?—I never did.

6167. You are well acquainted with the county of Meath?—Very well.

6168. You have stated that those 200 Orangemen came from different other counties, Kildare, Westmeath and Cavan, do you know what the general state of the parts of the county Meath, bordering on Cavan and Westmeath is?—I think peaceable; all the county of Meath is peaceable.

6169. Particularly that bordering on Westmeath?—I think that is very peaceable.

6170. You do not snppose that those people, if they carried arms, carried them for their protection?—I do not think they did.

6171. Do you not think that the circumstance of a liberal club being known by Orangemen to exist in the county of Meath, connected with elections, might have induced them to make their appearance in the county town of Trim, with the power of helping their friends in a similar point of view?—I do not know what their motives were, but I know they had no occasion, from the existence of the liberal club, to bring in arms.

6172. Were the members of the liberal club in the habit of carrying arms?—Never.

6173. Nor daggers?—No.

6174. Was there a military force present at that election?—There was, and police.

6175. Was that military force and police sufficient for the maintenance of the public peace?—I think it was.

6176. Had Mr. Plunket's voters any difficulty in getting up to the poll?—Not the least.

6177. They were not obstructed?—Not the least.

6178. Had they fair and open access to the poll?—They had.

6179. Were there any disturbances at the polling booths during the election?—There were not.

6180. When were the military and police brought in?—I do not know when the military were brought in; I saw them there the day of nomination; there were no police, but the police of the county. I think they were marched in on the day of the nomination.

6181. The military were there before the poll began?—They were.

6182. Which

6182. Which appeared first, the military and the county police, or this body of Orangemen?—I think the military and the police.

6183. Is it not the usual practice at an election in Ireland to have the military and police in the town?—I never knew an election in Ireland in which there were not both military and police present.

6184. The military and police are usually introduced in anticipation of riot?—I believe so.

6185. Is it the general practice at contested elections in Ireland to have bodies of military and police in the town?—I believe it is the general practice.

6186. Is it not the universal practice?—I never heard of an instance in which they were not introduced.

6187. How long did this body of Orangemen remain in the town?—They left it on Friday, on the morning of the day on which the successful candidates were declared duly elected.

6188. When did they come in?—Monday the 19th of January was the day of nomination. I heard some of them arrived on the Sunday, some more on Monday and more of them on Tuesday.

6189. Did they come in straggling or in bodies?—They came in from different parts; the Kilmeague Orangemen joined the Orangemen of Donadea at Kilcock and marched together to Trim.

6190. How far is it from Kilcock to Trim?—Nine miles.

6191. Did they enter Trim as a body?—I understood so.

6192. On which day?—I cannot say.

6193. How numerous was this body?—I think nearly 40; another party of them came from the county of Westmeath from Clonmellon and a party from Kells and the neighbouring part of the county of Cavan.

6194. How strong was that body?—I cannot say.

6195. Did they enter the town in a body?—I believe so; the only party I saw enter the town was on the first day of the poll.

6196. Was that the party headed by Mr. Preston?—No.

6197. How many were in the body you yourself saw?—Between 40 and 50.

6198. Did you see them display fire-arms?—Yes.

6199. Seven or eight?—Not then; I saw seven or eight altogether.

6200. How many in that body of 40 you saw enter?—Perhaps two or three pistols; I saw no daggers then, but there were other cases.

6201. Where were those men quartered?—There was a house opposite the new gaol, where a party of them were accommodated, and they were supplied with beds and bedding from the new gaol, the property of the county, as I understood.

6202. How many of them were accommodated in that house?—I really cannot say, the number perhaps was 16 or 18.

6203. Were there other quarters?—There were a large party accommodated in the old gaol, which is public property.

6204. Do you mean to say that a body of Orangemen who came into the county of Meath were lodged in the old gaol?—Yes; it is still public property.

6205. That is no longer used as a gaol, but is still the property of the county?—Yes.

6206. Under the control of the sheriff?—I think probably of the gaol committee, the sheriff may be a paramount authority.

6207. The gaol committee consists of magistrates?—Yes.

6208. Which candidate were they supporters of?—I believe with one exception they were supporters of Mr. Lambert and Mr. Plunket, the only exception was Lord Killeen who was not at the election.

6209. Have you any doubt those men were accommodated in the old gaol?—Not the least.

6210. How many do you imagine were accommodated in the old gaol?—I cannot say.

6211. You stated the whole number to have been 200?—Yes.

6212. There were other quarters for them in the town?—Yes, a part of them were entertained in a house opposite the new gaol, they were supplied with beds and bedding from the new gaol.

6213. How many were there at the old gaol?—I cannot say.

6214. Were there other quarters?—They were supplied I believe by Mr. Plunket.

Robert Mullen, M. D.

20 July 1835.

6215. Were they fed?—I understood so, I am quite sure they were; I heard complaints made of the bills not having been paid for some time after the election.

6216. The cost of their maintenance?—Yes, they were since paid I believe.

6217. By whom was their maintenance provided?—By Mr. Plunket I apprehend as part of the election expenses, but I do not know it of my own knowledge.

6218. By whose direction were the beds supplied from the gaol?—I cannot say, but the fact was notorious.

6219. Under whose control were those beds?—They were under the control of the governor, he is under the control of the gaol committee; the nephew of the governor, one of his turnkeys, is a member of the Orange Society; I have seen him with the Orangemen at the Drogheda election.

6220. Were there any Orangemen at Drogheda?—I saw them at the Drogheda election.

6221. Is he in the habit of letting the beds of the gaol go out of his custody without an order from some superior authority?—I never knew them go out of the gaol before with or without an order.

6222. Was the presence of this body of men notorious throughout the town?—Quite notorious and admitted, I might say, by the other party.

6223. Did that excite a strong feeling in the town?—Yes, a very strong feeling, it excited a strong feeling of indignation, there was a difficulty in preserving the peace.

6224. How did that difficulty shew itself, how did it come to your knowledge there was that difficulty?—I do not say it from any facts that came to my knowledge, but I know that exertions were made from the time of their coming, and in consequence of their coming.

6225. Was it notorious among the inhabitants of Trim, where those persons were lodged that night; was there any crowd about those houses at night?—No crowd, although it was notorious where they lodged.

6226. Did they walk the streets singly or did they always keep in bodies?—They always kept in bodies, I seldom saw fewer than eight or ten together.

6227. You say you always saw them in bodies, how were you able to distinguish them they having no badges, there were many strangers in the town being a county election, were there not country voters from a distance?—I know all the voters in the county, they were generally kept together in small bodies, they were pointed out as Orangemen.

6228. You know the great body of electors?—Yes.

6229. Though they were not inhabitants of Trim, you can point them out as distinct from them?—Yes, I have seen three contested elections, and know the voters.

6230. How many electors are there for the county?—There are 1,500 qualified electors.

6231. Do you know the whole 1,500 by their faces and persons so as to be able to distinguish a group of those Orangemen from a group of distant country voters?—I know all the voters except about 100, some gentlemen of rank who never voted.

6232. All the ten-pound voters you know?—Yes, almost all the ten-pound voters I think I know.

6233. Did you yourself see those groups of men, Orangemen as you believe, walking about the town always together in small parties?—I did.

6234. And frequently?—Yes, frequently.

6235. They never appeared in small numbers?—Eight or ten I think was the smallest number I have seen together.

6236. On other occasions did they display their fire arms?—I myself saw but seven or eight display their fire arms, but I heard of their shewing their fire arms and firing some shots over the bridge at Trim.

6237. Not on their entry or departure?—No, but one night while they were there.

6238. Are you acquainted with the duties of the gaol committee?—Not very particularly.

6239. Do you know that any complaints about mismanagement of the gaol are referred to the board of superintendence of the gaol committee?—I do.

6240. Are you aware whether any complaints were referred to them, in consequence of the beds being made use of?—I am aware of none; people never

never thought of making a complaint, for it would only serve the parties against whom they complained.

6241. Do you believe if any complaint had been made, the committee would not have attended to it?—My opinion is, that they might have reprimanded the governor, but that it would have done him a service, I think some of them must have known it.

6242. Was this use of the old gaol, and the beds belonging to the new gaol made in the town of Trim, without any representation being made or any notice being taken of the thing by any party?—I can say that none of our party made any representation upon the subject.

6243. You are not aware of any censure having fallen upon the governor of the gaol, on account of his use of the county property?—I never heard of any.

6244. You say you were at Drogheda during the election?—I was at the last election.

6245. Did the Orangemen take any part upon the occasion?—I saw an Orange party there; I saw some of the Meath Orangemen; Smart, a turnkey, the nephew to the governor of the Meath gaol was there.

6246. What did the Orangemen do in Drogheda?—They walked up and down the town in different bodies.

6247. Had they arms?—They had; I saw more arms among the Orangemen at Drogeda than I did at Trim.

6248. What number of Orangemen did you see there?—I think I saw perhaps a hundred; I remained there but five or six hours.

6249. Did they march in and out of Drogheda?—I understood they marched in from the county of Louth and some few from the county of Meath.

6250. Did they march together through the streets?—They did.

6251. Did those Orangemen go into the court-house at Drogheda?—Yes, they did, and created a great deal of disturbance and confusion there.

6252. Were they admitted by the police into the court-house?—I cannot say.

6253. You saw them there?—Yes.

6254. Were there any complaints made by the voters, that they were admitted into the court-house?—I cannot say, but I know that a representation was made to the sheriff, and that the court-house was cleared once in consequence of the riot and confusion created by them.

6255. Are the opponents of liberal candidates called by the friends of the liberal candidates Orangemen, without being such?—I never knew them called such, unless they were members of Orange societies.

6256. Is it not frequently the case that candidates who sit for particular places, and sit on what are called the Orange interest, are called Orange candidates?—I did hear of one, the Knight of Kerry, but I never heard of any other.

6257. You are quite sure that the friends of the anti-liberal candidates are not called Orangemen, without its being known whether they are affiliated members?—I never knew it. In Meath we never applied the term to any other candidates than Mr. Plunket and Mr. Lambart who were both Orangemen.

6258. When you say you saw a number of Orangemen, you did not mean merely that those were persons opposed to the liberal candidates as they are called, but you believe them to be affiliated members of Orange Lodges?—I believe them to be affiliated members of Orange Lodges.

6259. Had they any badges?—No.

6260. Are you acquainted with the fact, that in every gaol in Ireland there are certain officers whose business it is to report any breach of the regularity of the gaols or any breach of discipline to the board of superintendence?—I believe it is the business of the gaol inspector.

6261. Are you acquainted with the fact that there are other officers whose business it is to do that?—I am not.

6262. Do you know that it is the business of the Protestant, the Presbyterian and the Roman Catholic chaplains, to make such a representation?—We have no Presbyterian chaplain in Meath; I do not think the Roman Catholic or the Protestant chaplain would do that; they have salaries, and would always wish to be on good terms with the grand jury and the sheriff.

6263. Do you know that he is highly censurable, if he does not make that

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report to the Board of Superintendence?—I never heard before that it was his duty; if it is his duty, he is highly censurable.

6264. You stated that there were a hundred Orangemen at Drogheda, how many Roman Catholics were there?—I suppose four or five thousand.

6265. There was nothing formidable in the hundred Orangemen being there among such a number?—Nothing.

6266. You saw arms you say there?—Yes, I saw more arms there than at Trim, even during my short stay; I was not there more than four or five hours, and I was three or four days in Trim.

6267. How many displayed fire arms at Drogheda while you were there?—I think I saw 18 or 20.

6268. Of what nature?—Pistols; some of the party had them in their pockets.

6269. Did you see any daggers at Drogheda?—Yes; I saw none at Trim but that taken by the high sheriff.

6270. How many daggers did you see at Drogheda?—Perhaps four or five.

6271. Were they brandished and displayed, or in the breast?—They were not brandished, but in their breasts.

6272. How is the dagger worn?—Some would have them in their hands, some would take them out of their pockets, others out of their breasts, in many instances they had them in their breeches pockets, pistol or dagger.

6273. They were so displayed that the crowd could see them?—Yes.

6274. Did you see arms in the possession of no other of the crowd but those?—Not at Drogheda; at Trim I saw arms in the possession of some gentlemen who did not mix among the Orangemen, and always at the elections I have seen Protestant gentlemen with arms.

6275. Had those arms?—Yes.

6276. How did they carry them?—In their breasts.

6277. Is that a distinguishing mark to one side more than another?—No, I do not say that it is, but I have seen them carry arms.

6278. Perhaps you have heard of Protestant gentlemen carrying arms in self-defence, when they have gone to Meath for hunting?—It has become the general practice among Protestant gentlemen in Meath.

6279. Are you aware of any circumstance which led to that, of any attack on gentlemen going out hunting in that county?—At present I cannot call any circumstance to recollection, but I have always considered it a very unnecessary precaution.

6280. Did you hear of hounds being killed?—That was the report over the county; some deaths occurred from the drunkenness of a huntsman; it was traced out as arising from his drunkenness. The county of Meath has, during my knowledge, been as peaceable as any county in England; there is no more necessity for a gentleman carrying arms there for his protection than in Devonshire or Middlesex.

6281. When the gentlemen carry arms, do they carry them offensively, displaying them?—My conviction is, that they carry them for defence, from a feeling of danger.

6282. And not to make an offensive display?—No, I have heard of young men making an offensive display of fire-arms at races, but that is not the common habit.

6283. But you believe it to be the common habit of the gentlemen of the county to carry arms, not offensively displayed?—Yes, of the Protestant gentlemen.

6284. The general body of the country gentlemen do carry arms, not offensively displayed?—Yes, going to public meetings and such places.

6285. What means do the liberal clubs employ to influence elections?—They hold public meetings, and the members canvass the voters in their respective districts.

6286. Do you gather subscriptions?—At former elections we did, but at the last election the expenses were paid by the two candidates.

6287. Have you any thing to do with the collection of Catholic rent?—Not as a club.

6288. Merely as individuals?—Any individual of the club may take what part he pleases.

6289. Are there any Roman Catholic clergy in your club?—Yes, seven.

6290. How

6290. How many Catholic parish priests are there in the county?—Thirty-five.

6291. Of those there are only seven altogether in the club?—No more.

6292. How many priests are there in the whole county?—Thirty-five parish priests, and perhaps twenty-five or thirty curates; some of the parish priests have two curates and some none.

6293. Have you any friars there?—There is no establishment of friars in the county.

6294. It was in consequence of your exertion as a member of the liberal club, you were so well acquainted with the great body of the electors?—Exactly so.

6295. The liberal clubs of course influence the public feeling by speeches and things of that kind?—Yes, by speeches; we have seldom held public meetings, unless when the landlords used very extraordinary exertion and intimidation against us; and I must say, as I told the Committee above-stairs, t was only in two baronies in the county of Meath there was agitation, the baronies of Lune and Morgallion, in which are situate the estates of Lord Darnley and Lord Gormanstown.

6296. Which do you find practically the strongest, the influence of the landlords or agitation?—I do not say we succeed altogether by agitation; there are 98 voters, members of the club, and their relations and connexions through the county create a strong interest.

6297. Was not it one of the objects of the liberal club to advance money for prosecutions?—We have never done it, we never have advanced money for prosecutions.

6298. You are aware it was one of the objects of the Catholic Association?—Yes, but we always adhere to our principles and never deviate from them.

6299. Some of your members have acted a part not exactly coincident with the plan of the club?—Some of the Catholic gentlemen not members, have been strongly opposed to the club.

6300. Some of the Catholic gentlemen have taken the same part as the Protestant gentlemen have acted?—Some of them have so acted at former elections, and I think they are more obnoxious to the people than the Protestant gentlemen.

6301. The question refers to those Catholics who do not take part with the Catholic body generally, but act with the Protestants?—I refer to them, they are more obnoxious to the great body of Catholics.

6302. Are you sure they have not had recourse to carrying arms?—I know they have not, and I know they have always ridiculed the Protestant gentlemen who are in the habit of carrying arms.

6303. Are there not many Protestant gentlemen who condemn the practice of carrying arms?—Yes, there are several.

6304. It would be one of the objects of liberal clubs to guide public opinion on great public questions?—Yes.

6305. When last year the question of the repeal of the Union was agitated, and petitions were getting up, of course the liberal club took some part in the getting up of those petitions?—Not as a body, the members of the club did in their several districts and most of them very actively.

6306. Did the liberal club never avow an opinion on the question of repeal?—Yes, in 1832 we made it a test, and brought in the county members on that test.

6307. Is it a test of belonging to the liberal club, that the members shall be of the same opinion on that question?—Not at all, it was only in 1832 they had the test, it was for that election only.

6308. It is now suspended?—It never has been agitated since.

6309. Have you a doubt that the call which prevailed through Ireland for the repeal of the Union, and the pledge demanded at the hustings in 1832, arose in a great measure from the government of the country?—I have not a doubt of it, at the meeting of the club, held for the purpose of adopting that pledge, there was a strong feeling in favour of Lord Killeen on the ground of his public character and of personal friendship entertained towards him by several members of the club, the misgovernment of Ireland by the Whigs and a despair of getting anything from them was the cause of adopting it.

6310. Do not you think that the mistakes made with respect to the tithe

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measure created a great deal of exasperation in Ireland, and excited the repeal cry?—I am sure they did.

6311. When you use the term misgovernment, do you confine that to the management of the tithe question, or do you extend it to other measures?—I extend it to other measures.

6312. The Coercion Bill?—Yes, and the dispersion of public meetings by the Whigs was one of the great causes.

6313. Public meetings held for the purpose of petitioning Parliament against tithes were dispersed by military force?—Yes.

6314. And individuals who attended those meetings were some of them afterwards tried?—Yes.

6315. Juries were packed for their conviction?—They were.

6316. And that added very much to the exasperation?—Yes.

6317. What meetings that met to petition for the remission of tithes were dispersed by military force?—There was one at Nobber in the county of Meath, a very large meeting and a very peaceable one.

6318. Were you present?—I was not; Mr. Pollock a magistrate of the county attended, and read a letter of Mr. Stanley as his justification for dispersing the meeting, and did disperse it, although it was attended by a Roman Catholic magistrate as one of the requisitionists.

6319. Did a trial arise out of that meeting?—Examinations were taken against Mr. John Welsh who went down from Dublin, but he was never tried.

6320. That is not the case then which you heard in which you say juries were packed?—No.

6321. What is the case to which you refer, where you say juries were packed?—The trials which took place in Dublin.

6322. Can you mention any case?—I do not remember all the cases; the case of Reynolds and Costello was one of them; upon that jury the foreman was a person who never ought to have been put upon it as far as I know.

6323. Why was he a person who never ought to have been put upon it?—I think he was a person who was upon a jury who acquitted some conspirators in Lord Wellesley's administration, although the evidence was clear against them.

6324. You mentioned one meeting that was dispersed by a military force, was no other question discussed at that meeting except the question of tithes?—It was a meeting exclusively against tithes; there was a magistrate took the most prominent part there opposed to the repeal of the Union, Mr. Grainger.

6325. Was no other subject discussed at that meeting, which was dispersed, but the petitioning to Parliament?—No; there was no subject discussed at all, for the meeting was dispersed before any discussion commenced.

6326. Was the requisition for the meeting limited to the question of tithes?—Yes; no discussion did take place, but it was dispersed by a large force; it was shortly before the election, and I remember it assisted us very much in carrying that election.

6327. Was the purpose of meeting to petition Parliament against tithes, or to engage the people in a passive resistance to tithes?—The requisition was for a petition to Parliament against tithes.

6328. At the time you remember to have read a series of trials which took place at that time; in every report of the cases in which individuals were actually tried for attending public meetings, the object of which was to petition Parliament against tithes, were those individuals tried by juries, in which all Roman Catholics were set aside?—I think they were all tried by juries exclusively Protestant.

6329. And it is to juries so composed you apply the term packed?—Most decidedly; I think no other term can be applied to them.

6330. At that time the payment of tithes was commonly opposed by passive resistance?—Yes.

6331. And the powers of the law were exerted in vain?—In many parts that was the case.

6332. Then so far as tithes were concerned, at least the county was in a very lawless state?—No, not the county of Meath, some parts of it were.

6333. It was opposed to the levying of tithes?—Yes.

6334. A general opposition to a law may be very properly termed lawless?—Certainly.

6335. Was

6335. Was the power of the Government to collect tithes resisted?—It was in many places. *Robert Mullen, M. D.*

6336. And successfully so?—Yes.

6337. Are the tithes high in that country?—In some parishes it is 2*s.* 6*d.* an acre or 3*s.* 20 July 1835.

6338. There was, at that time among the Catholics, a general resistance to tithes?—There was.

6339. Almost universal?—Yes.

6340. You have stated that in the year 1832, the repeal of the Union was made a test for admission to the liberal club?—No, it was never made a test for admission, but the club made it a test for the candidates, to whom they would give their support.

6341. There is nothing now to prevent the admission into the liberal club, of persons professing opinions adverse to the repeal of the Union?—There never was any thing of the kind.

6342. Do not you think many persons took up the repeal of the Union for the purpose of forcing Government into the adoption of wiser measures in respect to Ireland?—I think that may have been the case with some, but the majority had the repeal itself in view.

6343. How does it stand now as to that majority, does it remain as it did?—No; I think if they got good laws and good government the question would not be again agitated.

6344. What has made the difference in the two years; you say now they would be content with good measures from this Government, though you say that was consistently maintained as the opinion of the majority formerly?—I think they have been frightened by the return of the Tories into power, which they considered then perhaps as impossible.

6345. You said that by making the repeal the test of election, you obtained a triumph?—We did by that principally in 1832.

6346. Mr. Morgan O'Connell was returned?—He was.

6347. He was returned against the weight of the principal Roman Catholic and Protestant proprietors?—He was so returned in 1832.

6348. You conceive if justice was done to Ireland, the question of repeal would cease to be agitated?—That is my opinion.

6349. Are you aware that Mr. O'Connell has comprehended the repeal of the Union in justice being done to Ireland, that he considers it an act of justice to Ireland?—No, I do not think that is so.

6350. Have you read his speech of last year?—He has made so many speeches I do not know which is referred to.

Mercurii, 22° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Mr. *Patrick M'Connell,* called in; and Examined.

6351. WHERE do you reside?—At Tanderagee, in the county of Armagh. Mr. *P. M'Connell.*

6352. What is your occupation?—A solicitor.

6353. What is your religion?—Protestant, of the Established Church. 22 July 1835.

6354. To what period can you speak, as to your own recollection, of transactions connected with the Orange Society?—For 20 years, at the least; perhaps more.

6355. Are you able to give the Committee any information upon authority of what occurred in 1796?—I cannot give you any information of my own knowledge.

6356. Will you state the grounds upon which the information you can give rests?—I can give information from members of my own family, with respect to a very atrocious murder committed in the county of Armagh, in February, in the year 1796, at a place called Lurgancot, near Loughgall.

6357. Will you state the member of your own family from whom you derived the information?—I had it from a full aunt, who was the wife of the person murdered.

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6358. Will you state now the particulars?—His name was Daniel Corrigan; and on a Sunday night in that month a party of men came to his house about nine o'clock; they were denominated Orangemen; they demanded admittance; it was refused; they broke the door, and almost immediately after entering, one of them started forward, presented a gun at the man, fired it off, and the contents lodged in his belly; he dropped dead, and never spoke. A man of the name of William Trimble was arrested, and committed to Armagh gaol for the murder; he was tried at the next assizes of Armagh, and convicted of the murder, but he was not executed. I believe he was sent to the fleet; and I heard that he was killed at the battle of Trafalgar. Mr. Corrigan, who was killed, was a Roman Catholic, a very peaceable, inoffensive and industrious farmer, in good circumstances; perhaps worth 1,000*l.*

6359. Was the man who committed this outrage an Orangeman?—He was. Mr. Corrigan's widow had to sell her farm afterwards, just on such terms as she could, and leave the country; it was bought at a very low rate, by some of the Orange party; an Orangeman bought it on his own terms.

6360. And the party who committed this outrage were reputed Orangemen?—Yes.

6361. And the man who was tried was also an Orangeman?—Yes; the widow was placed under very peculiar circumstances as to the prosecution; she was afraid to go to the assizes; and the late Lord Gosford, who was Governor of the county of Armagh, sent for her to his castle at Gosford. He kept her a couple of days prior to the assizes, and he brought her in his carriage to Armagh with him, in order to protect her from violence: I believe she was apprehensive of her life.

6362. Was the sole reason that induced Lord Gosford to take this woman in his carriage to the assizes, having kept her in his house for two days, because her life would otherwise have been in danger?—That was the sole reason.

6363. Will you state the next transaction of moment with respect to Orangemen and their proceedings, with which you are personally acquainted?—There are a great many transactions that occurred of a trivial nature; but the next transaction I would refer to, was the case of Saunders Bell; he was executed at Portadown, in the county of Armagh, on the 7th of August 1809.

6364. Were you at that execution?—I was; he was an Orangeman, and a yeoman of Colonel Blacker's corps: it was for an outrage committed on a man named James Birmingham.

6365. Will you state what you witnessed at the execution?—I saw a very unusual number of military on the occasion; I think a regiment of infantry, two troops of dragoons, and five pieces of artillery; the cause assigned for that was, that it was reported that the yeomanry in the county of Armagh would assemble and rescue the prisoner. I saw Colonel Blacker on the occasion in regimentals, inside the circle, with the convict, immediately prior to his execution.

6366. You state that the yeomanry, it was apprehended, would rescue the convict, which occasioned this very large display of military?—Yes; I know my father objected to my going to see the execution on that account (I was very young at the time) and in consequence of this report, but ultimately I obtained leave to go, with some others.

6367. Did you hear that an application had been made for a reprieve and was refused?—I did.

[*The following official Letter having been forwarded to the Committee, was delivered in and read, as follows:*]

Sir, Annaverna, 1st August 1809.

I HAD the honour of receiving your letter this morning, in which you request I would acquaint you, for the information of his Grace the Lord Lieutenant, whether it would be proper to comply with the petition from the inhabitants of Portadown which you enclosed to me. The convict alluded to in the petition is a person of the name of Alexander Bell, who was found guilty before me at the last assizes of Armagh on two indictments, the one charging him with having stabbed James Birmingham with a bayonet in July 1806, with intent to murder him; the other indictment charging him with having wounded him, same person, on the head with a hatchet in the month of March 1807, with intent to murder him. The case on the trial appeared to be one of peculiar atrocity, and the prisoner was convicted on the clearest testimony. It appeared on the trial that for three years the prisoner had set the law at defiance, appearing publicly in the neighbourhood where the crimes were committed, and effectually resisting any attempts to take him in that neighbourhood (which the petition represents as so peaceable and quiet), although on one occasion the military were called

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called in aid of the peace-officers. He lately ventured to a fair at some distance from Portadown and was there arrested. In a few minutes after the trial was over, two of the magistrates who have signed the petition, Mr. Lofty and Major Blacker applied to me in favour of the prisoner, and requested I would have his life saved and his punishment reduced to transportation, and assigned as a reason for the application, that they apprehended that the prosecutors and those who had assisted in the prosecution would be murdered by the friends of the prisoner if the prisoner was executed. I informed those gentlemen I could not comply with their application, and that the reason they assigned for saving the prisoner's life rendered his execution indispensable, as an example and warning to that riotous and disorderly neighbourhood. Immediately after a counter application was made to me by some of the most respectable gentlemen of the county, and in particular by Mr. Brownlow, who stated to me that in his opinion the peace of that part of the county depended on the execution of Bell, and that it would have the most salutary effect to order the execution to take place in the vicinity of the place where the crimes had been committed, and that Portadown was the fittest place for that purpose. I accordingly ordered the execution to take place at Portadown on Monday next. On my leaving court, Mr. Dawson, the assistant barrister for the county, waited on me and laid before me several informations sworn before him and other magistrates, whereby it appeared that the district immediately around Portadown had been of late much disturbed by a combination of the landholders against their landlords, limiting the rent of lands and preventing any stranger from taking lands in the neighbourhood. On the next day I called the attention of the grand jury to this important subject, and gave them such advice as I thought would enable them to check this dangerous combination. Several of the grand jury then stated to me, that they had great hopes that the execution of Bell at Portadown would have the desired effect of quieting that neighbourhood, and that they would consider it their duty to attend at the execution and admonish the people who would assemble there, and caution them against such illegal proceedings. For the reasons above mentioned, I am of opinion it would not be advisable to comply with the petition.

I have the honour to be, &c.

To Sir Charles Saxton, Bart. (signed) *Jas. M'Clelland.*

6368. How is that at all connected with the Orange body?—He was reputed to be an Orangeman, and he was a yeoman of Colonel Blacker's corps.

6369. But you are not aware of any proof of his being an Orangeman excepting that common prevalent opinion?—Not any.

6370. With regard to those disturbances in the neighbourhood of Portadown, can you say that that combination on the part of the landholders against the landowners was an Orange combination?—I cannot say that it was.

6371. Can you prove that the Orange Society were implicated in them?—I think they were implicated, so far as they joined in it, but that it was not exclusively confined to them.

6372. You were young at that time?—Yes, I was; I speak from my recollection at the time and my observation since, because that same combination exists to a certain extent to this moment.

6373. At that time Orange Societies were bound by secret oath, were they not?—I believe they were.

6374. The occupants of land as well as the owners of land of Portadown are chiefly Protestants?—Yes, almost entirely.

6375. Was this man Birmingham, who was wounded, a Roman Catholic?—He was.

6376. And Bell was deemed an Orangeman?—Yes, and there can be no doubt of that fact.

6377. He was also a yeoman in the corps of Colonel Blacker?—Yes.

6378. Were the corps Orangemen?—Yes; I believe it was a *sine qua non* that none but Orangemen could enter the corps.

6379. Had this transaction any thing to do with the question between landlord and tenant?—Nothing in the world; a part of the Tanderagee corps of yeomanry went repeatedly to take that man from the time that he committed the crime till he was finally arrested, and they did not take him; several of the yeomen told me afterwards that they could have taken him, but they did not wish to do so.

6380. But it was three years after the crime was committed that he was brought to justice?—Yes.

6381. Do you recollect any outrage upon a canal boat on the Newry canal?—I do.

6382 When did it take place?—On the 6thof May 1829.

6383. State as briefly as you can this transaction?—This was a boat proceeding

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ceeding from Portadown to Newry with a cargo of potatoes on the 6th of May 1829, Wednesday morning, the fair day of Tanderagee, to be sent thence to England; the boat belonged to Mr. Peter Clarke; on its arrival at a place called Knockbridge, convenient to the residence of Colonel Blacker, it was attacked by a very large assemblage of people in open day-light; fire-arms were discharged at the boat, and the people who had charge of the boat were obliged to leave the vessel, and it appeared that several of the guns used upon the occasion were yeomanry guns, having the Castle stamp.

6384. How did that appear?—It was sworn to afterwards by Clarke, I believe, and some of his men; the fact, however, I am certain of, for they told me so, Clarke did, and so did his men; he came to me in Tanderagee on that day and told me so.

6385. State your communication with him?—I desired him to go to the magistrates who were sitting at the time, and to request their assistance to enable him to protect the property that was then lying on the canal.

6386. Is Clarke an Orangeman?—No, a Roman Catholic; he returned and told me that the magistrates had refused to give him any assistance; he afterwards applied, I understood, to a judge of assize by petition for remuneration, and I believe he failed in that, the judge stating that he had not power to order it, as it was committed in open day, and he lost his property.

6387. How many magistrates were there?—I believe there were two or three; Dean Carter and Mr. William Lofty were the presiding magistrates at the time; Mr. Lofty is dead since.

6388. Do you recollect any outrage near Tanderagee in the year 1830?—I do.

6389. Will you state it?—On the 23d of June 1830, it was the eve of Midsummer-day, a number of boys and girls assembled in a field within a mile and a half of the town by permission of the owner of the field, and there they raised a bonfire; there were no distinctions of party or sect; I believe Protestants and Catholics were both concerned in it.

6390. They were both there amusing themselves?—Yes, amusing themselves merely; the same evening a number of Orangemen collected in Tanderagee.

6391. How did you know them to be Orangemen?—I had seen them walking in procession with colours; I do not know them except from that, as I do not belong to the society; they assembled in the lower end of the town of Tanderagee; they were headed by a man named William Murphy, who was in the employ of Dean Carter at the time; they had a drum and a fife; they set out to the country; no person knew where at the time, but on seeing this fire, they stopped beating the drum, and proceeded by circuitous ways to the place where the fire was burning; they surrounded the field in different directions; they broke into the field, and immediately commenced playing the Protestant Boys, a tune that is known there as a party tune; the owner of the field remonstrated with them; told them to leave his land, or he would prosecute them; they did not leave the land, but immediately attacked the party who were at the fire; the owner of the field was, I believe, knocked down by Murphy, and another of the party drew a dagger from his coat; it appeared he had it run up his sleeve.

6392. What was his name?—Samuel Gault; he stabbed a young man named Peter Maglade; he died of the wound on the following Saturday; this was on Wednesday evening; there were several others stabbed and wounded.

6393. Was there an inquest?—There was an inquest, and a verdict of wilful murder returned against Gault, William Murphy, William Ford and James Hagan; Murphy and Ford were arrested and committed; Gault escaped, as did also Hagan. Murphy and Ford were tried at Armagh Assizes, in spring 1831, before Mr. Justice Johnson; I was concerned for the prosecution; the Crown took it up also, and they were acquitted of the murder, and found guilty of riot and assault; they were sentenced to 12 months' imprisonment and hard labour.

6394. How were the jury composed?—I believe the great majority of the jury were Orangemen.

6395. Were they reputed Orangemen?—They were.

6396. Were there any Roman Catholics on the jury?—I believe not one.

6397. Are not all the Protestants and Presbyterians about there Orangemen?—No, I should say the great majority of them are Orangemen, but by no means all; I think the majority of the respectable classes in that part of the country are

are not Orangemen, and would not become so; they were both sentenced to 12 months' imprisonment; the judge said that every person present there was equally guilty with the person who gave the mortal wound. On the expiration of their imprisonment, they were escorted home from gaol by a number of Orangemen, with colours and music, and soon afterwards William Ford was put into the police, as I heard, under the recommendation of Dean Carter.

6398. Is that [*handing a paper*] the name of the man you speak of?—Yes.

6399. Will you read it?—"William Ford enrolled in the Armagh Police on the 10th of December 1832; 20 years of age; Protestant; recommended by the Reverend Dean Carter; was not on the magistrates' list at former quarter sessions; was taken into the police to fill one of the vacancies occasioned by the transfer of six men to the county of Kilkenny. At the period of his enrolment, the regular magistrates' list was exhausted, and it could not be renewed till the 27th December, 17 days after Ford's appointment: (signed) Frederick Stoven; Dungannon, 22d June 1835." And as to Murphy, he was admitted a member of Doctor Patten's corps of yeomanry at Tanderagee, of which he is a member at present.

6400. Is Dr. Patten an Orangeman?—He is.

6401. Does he hold an official situation?—He is captain of the corps of yeomanry.

6402. Are you aware that he holds an official situation among the Orangemen?—He was district master.

6403. Did you hear Doctor Patten admit that?—Yes.

6404. Will you read that which is also contained in an official document communicated to this Committee?—"William Murphy was enrolled a member of the Tanderagee yeomanry infantry on the 15th day of October 1832. George W. Patten, captain of Tanderagee infantry, Tanderagee, June 22d, 1835."

6405. When was it that the time of imprisonment expired?—They were sentenced at the Spring Assizes in 1831 for 12 months' imprisonment, I believe they were lunar months, and expired some time in the ensuing February, that is 1832.

6406. And in October subsequent, we find William Murphy enrolled as a member of the Tanderagee infantry, under the district master Dr. Patten, captain of Tanderagee infantry; and we find Ford enrolled into the police by the recommendation of Dean Carter?—That is the case; I should also state that on the 3d of July 1830, a few days after the inquest, the friends of the murdered person stated to me that they knew a great number of the persons concerned by their faces, but not by their names, but they hoped to be able to identify them, and they requested to know how they should act: I prepared an information for them, and recommended them to take it to Dean Carter, who was the next magistrate, and tender it to him; I hold that information in my hand; Dean Carter refused to take it; one of the persons implicated and offered to be sworn against was a servant of his inside his own house; perhaps the Committee would think it right that it should be read.

6407. Is that the information itself that was tendered and refused?—Yes.

6408. Is that information against the parties for murder?—Against the parties who had been implicated in the murder, and they were never brought to justice; Dean Carter's own servant, who was offered to be sworn against, left the country and went to America; some of the others are in the neighbourhood yet, and could be identified, but it is very difficult to get the law enforced.

6409. Was it the refusal of Dean Carter to take the information that has prevented the prosecution of the others concerned?—It was; the relatives of the deceased are very poor persons, they could not afford to go to the King's Bench for a criminal information, or any other thing, and they let the matter drop.

6410. Were there any other magistrates in the neighbourhood to whom application might have been made?—Mr. Lofty, who was the magistrate of the town, was, I think, absent in England, and it is the custom among the magistrates, in the county of Armagh particularly, that one magistrate will not interfere in the district of another: they say if you apply to them, go to such a person, he is the magistrate in that neighbourhood; and if the person says I have been there, the magistrate always says, I shall not interfere: that is the etiquette which a magistrate invariably follows.

6411. Will you read the heading of the information and the names of the parties applying?—"The several informations of Edward Maglade, of Derry Allen, weaver (he was the brother of the man who was killed); Margaret Maglade, of

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of the same, spinster; John Woods, of Drummaghentagh, farmer; John Lawless, of same, farmer, and James Fagan, of same, spade-maker." (It goes on to recite the transaction that occurred at the fire, and then), "This informant, Edward Maglade, saith, that several attempts were made to stab him with a sharp instrument by James Hagan; and in addition to those persons who stand charged with the perpetration of the said murder, one Samuel Ray, of Tanderagee, in said county, carpenter, was present aiding and assisting in the murder of the said Peter Maglade, with a number of others unknown to this informant;" then Margaret Maglade says, that she identifies the same Samuel Ray and Joseph M'Kee, of Derry Allen, carpenter, as being present, aiding and assisting in the commission of such murder; then the information of John Woods identifies other persons, John Laverty, of Drummaghentagh, then and now a servant in the employment, and residing in the house of the Very Reverend Dean Carter; he swears that Laverty was aiding and assisting in the murder of Peter Maglade, and was of the party who assisted in such murder; then James Lawless says, that Samuel Gault cut, stabbed and wounded this informant with a sharp instrument, which the informant believes was a bayonet, and that John Greenaways was also present aiding and assisting in the murder of Peter Maglade, and was of the party assisting in such murder; then the informant James Fagan, after stating the transaction, identifies Samuel Ray, Joseph M'Kee, John Laverty, Thomas Ford and Robert Fagan, that they were of the party concerned in the said murder.

6412. Of those persons mentioned in the informations, how many, if any, have quitted the country?—None but James Hagan, Samuel Gault and John Laverty.

6413. When did Hagan and Gault fly?—Hagan and Gault went off immediately, they were never seen afterwards.

6414. What time did Laverty quit the country?—Not till about three months after; he was in Dean Carter's house for some time after the informations were tendered.

6415. Did he appear after the informations were tendered?—He did, publicly.

6416. For how long?—For three or four months.

6417. Has he since been in the country?—No.

6418. Are all the other persons implicated residing in the country?—I believe so.

6419. Except Hagan and Gault and Laverty?—Yes.

6420. Is that a sworn document?—No, it is not, it was tendered and refused.

6421. Do you recollect any processions in 1831?—I do in 1831 recollect a very large Orange procession in Tanderagee, on the 12th of July, the largest one I ever saw, I dare say there were 10,000 persons.

6422. Describe how they were as to colours and music?—They assembled from different parts of the north of Ireland; a great number came out of the county of Down, and in general all the Orangemen of the county of Armagh, I believe, were there, they were completely an armed body, there were not less than a thousand guns exhibited openly, and great numbers of pistols.

6423. What description of guns did they appear to be?—They were country guns in general, I cannot say that they were yeomanry guns; I saw them from my own house they had also a cart apparently filled with ammunition, and a jaunting car also filled with ammunition.

6424. Do you mean with powder and ball?—Yes, they came, as I understood, to pay a compliment to Lord Mandeville to that extent; they marched round his castle; there was an Orange arch thrown across the street of Tanderagee.

6425. Is the town of Tanderagee the property of Lord Mandeville?—Yes, it is; the gates leading to his castle were also decorated with Orange arches.

6426. Had they much music?—Yes, a great deal of music, every Orange Lodge generally had its music and colours; there were, I dare say, 80 or 90 stands of colours.

6427. Were they mostly decorated?—Yes.

6428. How?—With Orange and other colours on their persons.

6429. Were their decorations confined to the button-hole?—No, they had sashes and cockades.

6430. What tunes were they playing?—"Protestant Boys," "Boyne Water," "Croppies, lie down," those were the prevalent tunes.

6431. Are

6431. Are those tunes deemed offensive by all Catholics, and considered by them as played for the very purpose of offending them?—They are invariably so, and I believe they were played for the very purpose of offending them.

6432. Have you any thing further to state with respect to that procession?—Only this, that I should say that in my opinion property and life were very insecure upon that occasion to any person who gave the slightest resistance, or was inimical to the party.

6433. Are you certain that there were balls as well as powder?—I was told that ball cartridges were prepared for the occasion, and that gunpowder had been purchased to a large extent at the shops.

6434. Do you believe that?—I do most positively.

6435. What was the computed number altogether?—Between the Orangemen assembled, and the persons that attended them, there could not be less, from the breadth of the street that they occupied and the time in passing, than 10,000 persons.

6436. Were the other persons that accompanied them persons of their opinion?—Yes, altogether; their children and wives.

6437. Did any Catholics join the procession or accompany them?—No, not at any time.

6438. The procession was not wholly composed of men, but of women and children?—Yes, the custom is, that they go two deep, arm in arm, and the crowd keep outside of them; they form in line two and two, the colours at the head of the lodge and the music, the masters walking foremost.

6439. Are you aware of a riot at Ballyhagan in 1833?—Yes, on the 12th of July 1833, it appeared that two or three lodges of Orangemen had been returning after parading round the country on that day—(I should think it right to mention that the townland of Ballyhagan is principally occupied by Roman Catholics); they entered that townland on the evening about six o'clock on their return home, and a number of persons had assembled at the entrance of it, as they stated, to see those persons pass; when the Orangemen saw those persons assembled, on coming up to them they lifted stones, and one of the Orangemen who was on horseback at the head of the party, attempted to ride down a pensioner of the name of M'Geough, who was standing on the roadside; that led to a most serious riot; stones were thrown to a large extent by, I believe, both parties. Several persons were severely cut and wounded; a pistol was fired by one of the Orange party at a man, a bullet from which grazed his flesh, and penetrated his dress, but did not penetrate him.

6440. Was offensive language used on the occasion?—Yes, very much so; in fact, there was a kind of battle, and I believe the Orange drum was broken and the colours torn by the Roman Catholic party, for they were all Roman Catholics, I believe, that were concerned at the time.

6441. That is, all the people in Ballyhagan?—Yes; they applied to Mr. Woodhouse, the magistrate of Portadown, for summonses, and before serving them they brought the summonses to me, intending to employ me as their solicitor upon the occasion. On examining the summonses I found them to be incorrect; they did not charge the party with walking in procession contrary to the statute, and I wrote to Mr. Woodhouse mentioning the fact, and returned him the summonses, with a form of summons embracing that part of the case; those men expressed their unwillingness to go to the petty sessions at Portadown, stating, that Colonel Blacker, who was presumed to be at the head of the Orange party, or one of the leaders, was chairman of the petty sessions; and they also objected on another ground, that if informations were taken, those informations would be sent to the quarter sessions of the county, where the magistrates of the Orange party would preside as judges, and that they could not expect or hope to get justice; from that representation I recommended them to petition the Lord Lieutenant, stating the facts, and seeking redress in any way that he thought right; and I hold in my hand the draft of the petition which was forwarded on that occasion, and the names of the parties who signed it, and the answer of Sir William Gosset.

6442. What is the prayer of it?—"The petitioners' lives have been threatened in case they prosecute the offenders on this occasion, and they humbly represent, that before a tribunal constituted as the petty sessions of Portadown is, they do not believe that their case would receive such an investigation as the ends of justice and the vindication of the laws require; and the

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petitioners humbly beg leave to represent to your Excellency, that from the well-known principles of a large majority of the magistrates of the county of Armagh, and the mode of selecting the juries of that county, most of whom are composed of Orangemen, there is little probability of the petitioners' case receiving a fair and impartial trial, and particularly if the same be tried at the court of quarter sessions, and the petitioners therefore humble hope, that your Excellency may be pleased to order a magistrate of the county to take informations against such persons as can be identified, who composed the unlawful assembly and committed the outrage in question, and that such informations may be returned to the assizes, and the parties accused dealt with in the mean time according to law." To that memorial I received a letter in answer from Sir William Gosset, which I hold in my hand, and which I will read: "Dublin Castle, 26th of July 1833. Sir,—I am directed to acknowledge the receipt of your letter of the 24th instant, and the memorial which accompanied it from certain inhabitants of the townland of Ballyhagan near Portadown; in answer I acquaint you, that the Lord Lieutenant has called the attention of the Lieutenant of the county to this statement, involving the character of a magistrate, for the purpose of the allegations being investigated." (There were charges in it against Colonel Blacker, independently of what he alludes to as to men walking in procession through his domain.) "If you can show that the police lost any time in serving the summonses"—(there was a charge against the police for not serving the summonses, this was mentioned in the petition, and the letter of Sir William Gosset is in reply)—"If you can show that the police lost any time in serving the summonses, serious notice will be taken of the dereliction of so important a duty. With reference to ordering a magistrate to take information against such persons as can be identified, and directing them to be referred for trial at the assizes, his Excellency desires me to state, that he cannot direct a magistrate to take the information of any individuals complainants, but in case informations of the facts stated in the petition should be tendered to any magistrate, and refused, his Excellency desires that such informations shall be transmitted for his inspection; I am also to state, that it is the opinion of the law adviser, that such informations when sworn, should be referred to the assizes, and not to the quarter sessions. I am, sir, your most obedient servant, William Gosset." The summonses issued for the 27th of July 1833; the parties appeared at Portadown petty sessions for the investigation; the magistrates present were Colonel Blacker, Mr. Joseph Atkinson, and Mr. Curran Woodhouse; I attended as the solicitor of the one, and Mr. Robert Morris as the solicitor of the other; the complaint was gone into with respect to the police in the first instance, and they exculpated themselves from any neglect having been employed in other and more important duty; Colonel Blacker refused at first to entertain the charge with regard to walking in procession against the statute; stating as his reason, that Mr. Justice Moore, at the prior assizes at Armagh, had expressed much doubt upon the subject, and that if the magistrate did not interfere in stopping the parties from walking, and punishing them for refusing, it was doubtful whether an indictment could lie under the statute; however, after arguing the case, he said that he would go into the whole of the facts, and take the information generally, if it should so seem right. The case was gone into then at great length, and many witnesses examined and cross-examined. At the conclusion of the examination of the witnesses, Colonel Blacker signified his wish to speak to me privately at the edge of the bench that he was sitting on; he stated, that from the very deep excitement that existed in the country, it would be desirable that the business should go no further; and particularly so, as informations and cross-informations must be taken, if any. I told him in reply, that I felt the strength of his observation, and that I would be extremely happy to join him in endeavouring to put an end to any further trouble upon the subject; but I said, that if it was done, it must be under such circumstances as would, if possible, prevent a recurrence of the same cause; I told him, that he had great influence with the Orange party; that if he would explain the law to them, and state to them that it was their bounden duty to abide by it, that it was a law not made against them as Orangemen or as Protestants, but against all persons in the community, of every sect and party who might violate its provisions; and if he would admonish them to obey it, I would make a proposal which I hoped would cause the parties to be reconciled, and put an end to any further litigation. He refused so to do; I repeatedly urged him to do it; he again declined,

declined, and he made use of a very singular expression indeed; he said, that it was a law made by the Whigs, and that they had made many laws as well as it, that ought not to be obeyed. I then asked him for permission to explain the law to the people assembled myself, and that I would make the proposal that I intended. He gave me permission. I took the Act of Parliament in my hand, and I read its provisions to the people; I explained the law to them as well as I was able, showing that it was not intended against them more than against any other class or sect who might violate its provisions; I told them, that it was their bounden duty as loyal subjects, if they were so, to obey that law; that if they would not do it voluntarily, they must do it by compulsion; and that all, sooner or later, the Whitefeet in the south and the Orangemen in the north, must obey the laws of the country. Having said that to them, I added, that the parties for whom I was concerned had no vindictive feelings; that they merely wished to be protected from those annual processions and insults which were offered to them, and that if the heads of the party who were there assembled, and were charged with this offence, would sign a declaration, that so long as the law was as it then was they would not violate it, I would advise my clients to come forward, to forgive what had been done, and to hold out the right hand of fellowship to them, and to go home and live in peace and good neighbourhood as before, and that they should forget all that had passed. There was a very large assembly of Orangemen in the justice-room, and all round the place, and this proposal was met by cries of "No surrender," and shouts to drag me out were repeatedly made; there was a Mr. Henry John Porter, a moral agent of Lord Mandeville—

6443. What is the meaning of moral agent?—To guard the morals of the people, I believe, and to promote religion on the estate or property that Lord Mandeville possesses there; I always understood it in that sense. Mr. Porter came in the morning, Colonel Blacker desired him to come on the bench, and in a short time he said that he had come there to defend the Orangemen; and I believe he was very active in those cries of "No surrender," and the refusal to accept that proposition; and I was very considerably threatened, and felt myself in considerable danger, in consequence of the violence of the persons there; when I made this proposition, it is right to say, that Colonel Blacker did not say a word; Mr. Joseph Atkinson said "No" to it.

6444. This was after you explained the law?—Yes, and had made the proposition. Mr. Joseph Atkinson said "No;" and Mr. Curran Woodhouse said, that he thought it was a fair and reasonable proposition, that it ought to be acceded to; Mr. Joseph Atkinson afterwards changed his mind, and said he thought so to. When they refused in this manner, I then addressed the bench, and said, that I knew of no course that I could pursue, except pressing the informations to be taken, which I thought would sustain the case; the decision of the court was, that informations should be taken on both sides; and Colonel Blacker then requested that it should be postponed for a few days, in hopes that the party would become reconciled out of doors; I said, that I had no objection to any thing of the kind, that I would not press any thing hastily, and accordingly it was postponed till the 5th of August, with the understanding that if the matter was not settled in the mean time, the parties should all attend upon the magistrates, who would take the informations. On the 5th of August I attended at Portadown again; there was no magistrate present but Colonel Blacker; the Orangemen had not their attorney present, and Colonel Blacker took a number of them up stairs in the house where the justice-room is, and he drew their informations himself; he then came on the bench, and addressed both parties at very considerable length, stating his reluctance to take the informations, and again urged upon me the propriety of letting the matter be abandoned; I again expressed my willingness to do so, provided we got some security for the future, and that those processions would not be repeated; and I again made the same proposal in as strong language as I could, and requested Colonel Blacker to join me, and admonish the persons to obey the law; he again refused so to do, and then I had the informations sworn, and both parties were held to bail; they were tried at the Armagh summer assizes of 1834, and both sides were convicted of riot; the Crown took up the case against the Orangemen; they prosecuted them, and in the selection of the jury, I must mention, the Crown set aside those who

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were believed to be strong party men; there was a very impartial jury, composed of moderate Protestants and moderate Roman Catholics; this was before Mr. Justice Jebb. The next day the other party were put on trial, and there was not the same opportunity of setting aside any Orangeman on the panel; nearly every Protestant attended and answered to their names, so that on the second trial they were almost exclusively Orangemen.

6444*. Was there any Roman Catholic on the jury?—There was not one on it, I believe, and the very same evidence was gone into as on the day before, for and against. Mr. Justice Jebb sentenced each party to a fortnight's imprisonment.

6445. Is Colonel Blacker the gentleman who was for a considerable time deputy vice-treasurer of Ireland?—Yes.

6446. And held the situation in the Orange Lodge for a considerable period?—Yes.

6447. Do you know what office it was that he held?—I do not know precisely, but it was a high office.

6448. Up to 1829 did he not hold an office in the Orange party?—I believe so.

6449. Colonel Blacker has been for many years an officer of the body?—Yes, he is one of the leaders.

[It appeared from the rules and regulations of the Orange body that Colonel Blacker had been deputy grand master of the Orangemen in Ireland.]

6450. Do you recollect a riot and procession on the market-day at Tanderagee?—I do.

6451. When?—The 24th of July 1833: on the evening of that day a number of Orangemen assembled in the town of Tanderagee, accompanied by drums and music; they assembled close to the gate of Lord Mandeville, within about ten yards of the house of the town magistrate, Mr. Lofty, and within ten perches of the police-station. I brought it under the notice of the Government at the time.

6452. What was the result?—That there was an investigation, and Dean Carter was dismissed for being present.

6453. Were you at the Portadown investigation?—I was present.

6454. What was the result of that investigation?—The dismissal of Colonel Blacker from the commission—[*The official report of the solicitor-general of Ireland, dated October 21st, 1833, was delivered in and read.—Vide the end of this day's examination.*]—I wish to state that Colonel Blacker refused, although twice applied to, to take the affidavits of persons concerning the burning of Mr. Handcock in effigy: he advised the other magistrates then on the bench not to take them, and they acceded to that, and did not take them.

6455. You stated that Dean Carter was removed from the commission of the peace in Armagh; is he in the commission of the peace for the county of Down?—Yes, the county of Down is very convenient to the place where he resides, within a mile of it.

6456. Is Colonel Blacker in any commission of the peace?—I believe not.

6457. Did any other magistrates resign in consequence?—I believe Colonel Verner did; I saw Colonel Verner's letter upon the subject, wherein he announced his resignation.

6458. Is he on the commission of the peace for any place?—I believe for the county of Tyrone.

6459. Are you aware of the existence of gun-clubs?—I am; I believe gun-clubs were formed early in 1832, and that they arose in consequence of a speech that Lord Mandeville delivered at a meeting held in Armagh on the 28th of December 1831; there was a meeting held in Armagh which was said to be of Protestants, for the purpose of addressing the King, but it was altogether an assemblage of Orangemen.

6460. Were you present at the meeting?—I was not.

6461. The proceedings of the meeting are reported in the Evening Mail of the 30th of December 1831. The Committee will read to you extracts from Lord Mandeville's speech: "Gentlemen and Brothers,—The Protestant echo, the shout which commenced in Dublin, is now reverberated through the north; our oppressors are scared; the lion of the north having been at length roused."—"The next point to which I would refer you is the way in which Government have

have behaved with regard to the clergy of the Established Church. Doctor Doyle told his people not to pay tithes, and the King's speech and the King's Government echo the same; we know the effects which this temporizing conduct has produced; it ended in the slaughter of a number of Protestants. [Cries of 'Will you give us guns?'] I should have no objection to your having guns, for I know you would not use them except in self-defence."—"We assemble you here in order to show you the necessity of standing together, that we may protect you against the recurrence of those scenes of outrage which have been invariably committed by Papists over Protestants whenever they possess power over them; it is to ourselves, it is to the Orangemen of Ireland that we are indebted for being able to meet this day in the broad face of heaven, and if Protestants be not united together, we have nothing to hope for short of again hearing the din of chapel bells, calling our enemies to another Sicilian vesper, commemorative of the occasion when Papists rose and massacred every Protestant they could lay hands upon." There is also a part of the speech of M. Simcott, esq.: "We are now three millions of men, and our advance guard is the Orangemen of Ireland; is there any man in this assembly who will say that he is afraid? No, the Orangemen of Ireland are a well-organized body, comprising 160,000 men, every one of whom is ready and willing to die for his religion, for the principles of the constitution and for his King, if he acts up to those principles which he has sworn to maintain, and which were established at the glorious Revolution of 1688. Let those fight for their new-fangled constitution who will, but this I know, they will not be the Orangemen of Ireland, not a clause of which is not inimical to their interests." There are the names of 22 magistrates given as attending that meeting, from which the Committee have read you the extracts which you have just heard; do you think that any man that would approve of the sentiments there uttered by Lord Mandeville, participating in those opinions, and declaring that the Catholics thought only of murdering the Protestants whenever they had the power, would be capable of doing justice to a Catholic?—I think he would not; I saw the persons going to that meeting.

6462. Did you hear what number they were reported to be?—I heard 10,000; a great number passed through Tanderagee by daylight in the morning with flags and music.

6463. Here is a letter, signed W. Macdonnell, major-general, dated Armagh, to the military secretary, with regard to that meeting; will you read that?—"Armagh, December 28th, 1831. My Lord,—I have the honour to report, in reference to my letter of yesterday, that the meeting, which in point of numbers did not amount to 3,000, passed off without the slightest symptom of disorder. I have, &c. (signed) W. Macdonnell, major-general, military secretary, &c. &c. &c.;" but I am sure that there were more than 3,000 in that meeting.

6464. You have heard the sentiments attributed to Lord Mandeville with respect to giving arms; you have stated, that some time after that meeting you first heard of gun clubs being established?—Yes.

6465. At what period?—I think in 1832; there is a gun club in Tanderagee, in the house of a tenant of Lord Mandeville's.

6466. What is his name?—John Dinim; he is a publican; I have seen guns come from Belfast to that house.

6467. How many have you seen?—I think three or four times a carrier brought a gun and bayonet every week.

6468. Are those country guns, which you spoke of in the former part of your evidence, usually accompanied by bayonets?—No, I have seen the carrier bring the gun and bayonet home on his cart in the evenings of Saturday in general, and go to this house with them; I believe the practice was for each member to subscribe 1*s.* a week, and then ballot for a gun.

6469. Do the district masters of the Orange Lodges entertain the masters occasionally to your knowledge?—Yes, I have known Lord Mandeville to invite the masters of the district of Tanderagee and Portadown more than once to his table.

6470. Of what class are those men composed?—A very inferior class in society; artisans, I might say, of the lowest grade; of men quite incapable of writing a common note; men devoid of education and general information; weavers and small farmers.

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6471. Do you recollect any thing about a military detachment in the town of Tanderagee?—I do.

6472. State what occurred with regard to it?—I recollect, on the 10th of July 1834, a detachment of the 74th regiment of infantry passed through Tanderagee from Armagh to Lough Brickland, for the purpose of preserving the peace; I heard a drum and a fife on the evening of that day in the town, the music playing party tunes; I heard a great many huzzas and cheerings; I went to the window to see what it was; I saw the party passing by with their officer, and about one-half of them had Orange lilies in their caps and in their breasts; they were accompanied by a great many persons cheering, many of whom I knew to be reputed Orangemen, by seeing them in procession before, and avowing their sentiments, and beating drums before in that character; they proceeded to Lough Brickland, and the detachment spent from six o'clock till ten before they got four miles; they stopped at different public-houses, and drank with the Orangemen.

6473. What party tunes did they play?—The Protestant Boys and Boyne Water. I felt this to be a matter of so much importance, that I immediately wrote a letter to Sir William Gosset, with another gentleman, Mr. David Hutcheson, and on the ensuing Sunday, Sir Frederick Stoven, inspector of police in Ulster, called on me to know the particulars, having received a communication from Government to that effect. Sir Frederick proceeded from my house to Lough Brickland to know the name of the officer, and the particulars from him; I told him that I would come forward at any time and place to prove what I had seen and heard; he retired, and I heard nothing more about it from that day to this; I was not called upon afterwards.

6474. Do you know where that regiment is quartered now?—I do not; I do not know any thing of the military stations; there was at that time some doubt whether the Orangemen would go in procession, but in consequence of this detachment acting in this manner, the Orangemen determined afterwards to go in procession, seeing that they had their friends in the military.

6475. Were there any processions last July in Tanderagee?—There were.

6476. What occurred?—I was in Dublin on Saturday the 11th, and I left on Sunday. On my coming into the neighbourhood of Tanderagee, I observed four Orange flags flying on the tower of the church, another flag on the tower of Lord Mandeville's building, convenient to the church. There was an Orange arch thrown across the street, and I found that a detachment of the 83d foot had arrived there the evening before. There was a good deal of excitation among the people. At 12 o'clock precisely on Sunday night, several parties commenced beating drums through the streets, and firing shots. They played party tunes also. I heard cries, "To hell with the Pope." A party stopped opposite my house for some time, and fired several shots; and fearing that an attack would be made upon my house, I got out of bed, and looked out of a window. I saw a soldier among the crowd, and he went through the street with them at the time they were firing shots. A little after daylight the drumming ceased, and also the firing of the arms, but it continued until daylight. The next day a great number of Orangemen came into the town from different directions in procession, decorated in the usual manner with party colours, carrying flags, beating drums, and playing party tunes and firing shots. About two o'clock in the day they left the town in procession, and went to a place called Scarvagh, and from thence to Gilford. They were met at Scarvagh by another detachment of Orangemen that came through Lough Brickland, having forced past the military there. The military were drawn out at Lough Brickland by two magistrates to oppose their progress, and the Orangemen flanked them, and the magistrates thought it prudent to let them pass, seeing a great number of pistols. They joined the party that came from Tanderagee at Scarvagh, and then proceeded to Gilford, in the county of Down. In the evening the Orangemen returned to Tanderagee, and there were 22 flags, I counted them. On their return in the evening, there were a great many drunken persons among them; there was no magistrate in the town.

6477. Does any magistrate habitually reside in the town?—None at present, except Lord Mandeville, who is seldom at home, and does not attend to much official duty.

6478. Is his residence near the town?—Yes, within a few perches of the street. I saw walking by the side of the procession, not in it, several of the soldiers

soldiers of the 83d foot; I saw one soldier dancing to the tune of the "Protestant Boys." There were several of the military drunk in the streets, and I believe some were confined by the officers for that offence. It was believed that one-half of the detachment at least were Orangemen; that was so reported in the town by the Orangemen themselves. There was no opposition given to them, nor was there any riot. The day passed off quietly, though many were drunk.

6479. Are there a great many Catholics in Tanderagee?—There are a good many there and round about, respectable Catholics. The Orangemen, in my opinion, were extremely reckless upon this occasion; they were divested of their leaders; no respectable person appeared at their head, to guide them or direct them, which I was sorry for; because, had a respectable person appeared at their head, we should have had more protection. There were only two policemen in the town, and we had no protection beyond what the military could afford, and we had no magistrate.

6480. What was the military force?—Twenty-eight men, I believe.

6481. Did you hear any insulting expressions used upon the occasion?—Yes; during the night of Monday the town was patrolled by numbers of men who were drunk, and on the morning of Tuesday I heard very insulting expressions used towards me. I arose from my bed and saw a man of the name of Williams, an architect of Lord Mandeville's, and he had a number of persons with him in the street; every person that he met or that passed by, he asked "Are you a Protestant or an Orangeman?" If there was no answer given, his reply was, "You are a damned bloody Papist." I heard him say this to several persons.

6482. Were you in your own house?—Yes, I was in my house at a window, for I got up, hearing the expressions used, and fearing that an attack would be made upon my house. Then on the Tuesday the Orangemen again assembled from different directions in procession, and they marched to that same place called Scarvagh. The Newry canal passes by it, and they used the Newry canal as a representation of the Boyne Water; they commenced a sham fight; they had done so for several years before; one party, headed by a man to represent King James, and the other by a man to represent King William; King James's party having a white flag with the cross on the top of it, and the other an Orange flag. There was a vast assemblage on this occasion. The publicans took out tents, and sold whiskey, and the party was very numerous, and the firing continued from two o'clock till a late hour in the evening.

6483. Which was beaten?—James's men, of course. If the people were left to themselves, I think they would be very peaceable in a very short time, and that there would be good neighbourhood among all classes; but prior to the 12th of July in every year, say for a month, the people become estranged from each other as though they were foreigners. For five or six weeks it continues in this state, and it is my fixed opinion, that until those associations and processions are put a stop to, we can have no peace in the north of Ireland, and I would add no prosperity, for where peace is not, prosperity cannot be. The value of property is lessened by these things, and men of capital are prevented from investing their capital in different public undertakings.

6484. Did you hear when Mr. Handcock was last burnt in effigy?—I was told by my brother when I returned from Dublin, that Mr. Handcock was burnt on the 1st of July of this year, as he was burnt and hanged before.

6485. How long have you been a practising solicitor?—Several years.

6486. How long?—Not more than three.

6487. Are you acquainted, independently of being a practising solicitor, with the practice of the courts?—Yes, I was for five years in the office of an attorney before I was admitted.

6488. During that time, from your knowledge of the administration of justice among the local magistrates, what appears to you to be the impression of the people?—What appears to me is this, that wherever a dispute between Orangemen and Roman Catholics is to be investigated before the magistrates of the county where the magistracy is composed of Orangemen, or where the chairman or any leading member of the bench is an Orangemen, the Roman Catholics who go there have not the slightest confidence of getting justice; on the contrary, where there are gentlemen who are not of high party feelings, liberal Protestants for instance, the Roman Catholics place every confidence in them. As for the others, the Orangemen, I never hear them complain at all of

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not receiving justice. In cases of assaults the magistrates have the power to punish in a summary manner; and I am instructed by persons of the Roman Catholic persuasion who lodge complaints of assaulting them, not at all, if possible, to let the matter come before them to be finally determined, and my practice is, as far as I can effect it, to prefer indictments at the quarter sessions, and not to go before the magistrates at all. We then have the case investigated publicly in open court, with the assistance of the chairman, who is generally a gentleman of impartiality, who has a knowledge of the law, a King's counsel for instance, and we have the benefit of a jury and open investigation in court. In the latter end of May last, a number of Orangemen broke the windows of a Roman Catholic inhabitant in Tanderagee; he applied to the magistrates, and he was able to identify three of the rioters. The magistrates, as I heard, were not certain whether it was a riot, or whether it was a case which should be tried as a malicious injury; in consequence there was nothing done. The man came to the ensuing quarter sessions; the second day I applied to the court for liberty to send up a bill of indictment for a riot, and the barrister having remarked upon the lateness of the time for the application, and used some strong expressions, which I will not mention, said he would leave it to myself to take what course I thought fit, and while I was preparing the indictment the grand jury was discharged, and when this indictment was ready, there was no grand jury to go before.

6489. Had you intimated your intention of bringing forward the indictment?—I had made a public application in court.

6490. Are the grand jury in Ireland discharged by the clerk of the peace?—By the court.

6491. But you were preparing your indictment on the table in court?—Yes.

6492. You did not see the grand jury discharged yourself?—No; I went to the door to see if my parchment was coming, for which I had sent; I had spoken to the clerk of the peace to oblige me with a printed form of indictment, but he refused.

6493. Was your application respecting the indictment so loud that the magistrates heard it?—Decidedly, for the magistrates had a conversation about it.

6494. Is there not an assistant barrister in the quarter sessions in Ireland?—Yes.

6495. Did he not prevent the discharge of the grand jury?—He did not.

6496. Who is he?—Edward Tickell, esquire, a King's counsel.

6497. Is he not an impartial man?—Yes. The deputy clerk of the peace is Mr. John M'Kinstry.

6498. Is he an Orangeman?—I do not think he is, but I think he is inclined that way.

6499. Are there any limits in the quarter sessions in Ireland, as to the day when the indictment should be presented?—It ought to be presented on the first day if possible, but so long as the grand jury are sitting, an indictment may be preferred.

6500. And there is no limit that indictments shall not be presented after the first day?—No.

6501. Does not the presiding barrister send down to the office of the clerk of the peace, to know whether there is any other business to be brought before them?—I never heard that, but I should say that it ought to be the course.

6502. Will you state to the Committee the form of dismissing the grand jury in that court?—I have seen the grand jury come out, hand in their book, and say that there was no more business for them; I have heard the chairman ask the clerk of the peace if there was any business, and upon his saying not, the grand jury were discharged.

6503. There being none, the grand jury were discharged?—Yes.

6504. But you stated that you had made your application?—Yes.

6505. And that the presiding barrister had rebuked you, and said that he would leave you to your course?—Yes; then I said I should prepare an indictment immediately; while I was preparing it, before I had it prepared, the grand jury were discharged.

6506. The presiding barrister was perfectly cognizant that you had an indictment preparing?—He must have been so, decidedly.

6507. Why do you lay this to the charge of the deputy clerk of the peace, rather

rather than to the charge of the presiding barrister?—I think the deputy clerk of the peace procured this to be done. I had it half prepared, and the crier came to me and said, Mr. M'Connell, you need not do that, for the grand jury is discharged; the clerk of the peace had refused to give me the form of indictment in the usual way, which would have saved me a great deal of time.

6508. Why, when both parties, the presiding barrister and the deputy clerk of the peace, were equally cognizant of your preparing an indictment, do you lay it on the deputy clerk of the peace?—I think the deputy clerk of the peace did it, because he was so uncivil as not to give me the form of indictment; I have no doubt whatever from that, and some expressions that he used, that he was the party who caused the discharge of the grand jury.

6509. Is it merely that you think that the deputy clerk of the peace had an ill-will towards you on his part?—No, I do not think that, but that he did not wish the sessions to be protracted; I do not lay to the charge of the deputy clerk of the peace any bad motive for it.

6510. Is the clerk of the peace a strong partisan?—No.

6511. By whom was he appointed?—By Lord Gosford.

[*The following Paper was read in the course of Mr. M'Connell's Examination.*]

My Lord, Merrion-street, October 21, 1833.

HAVING been commanded by his Excellency, the Lord Lieutenant, to assist your Lordship in conducting the important inquiry confided to your Lordship by his Excellency, into certain transactions which occurred in the month of July last at Portadown and Tanderagee respectively, and that inquiry being now concluded, I feel it to be my duty to address to your Lordship such observations as occur to me to be material, towards arriving at just conclusions upon the whole matter before your Lordship.

It cannot be unknown to your Lordship that party spirit and religious animosity have for some time past, and still continue to exercise a most pernicious influence upon the habits and morals of your population, that they have engendered bitterness and strife, that they have arrayed against each other different classes of His Majesty's subjects, and have tended more than perhaps any other cause to produce breaches of the peace, and acts of violence and of blood.

Your Lordship is no doubt aware also that nothing is better calculated to nurture and strengthen this anti-christian spirit, than the recurrence of those demonstrations of party feeling which are called processions; they excite the stronger party to insult and to injury, and they excite the weaker to animosity and revenge, and constituted as human nature is where hostile parties thus excited come into collision, neither the prudence nor the power of the most influential of their leaders can avert the most lamentable consequences.

Your Lordship is aware what strenuous efforts His Majesty's Government has made to suppress these dangerous combinations, and the common law having been found ineffectual to produce this most desirable consummation, in August 1832 the statute of the 2d & 3d of William IV., commonly called the Anti-Procession Act, was passed.

Notwithstanding this declaration of the Legislature, and notwithstanding the avowed determination of the Irish Government to execute this statute in its letter and in its spirit, its provisions have been in several instances and in your Lordship's county violated and evaded.

It is true many of that class of His Majesty's subjects, commonly denominated Orangemen, have, highly to their own honour and to the advantage of their country, respected the law and regarded the public peace, and since the passing of the Anti-Procession Statute have ceased to march in procession, and have discouraged that practice in others. But your Lordship is officially informed that in many parts of your county, processions of Orangemen did take place on the 12th day of July last, and in some of these the usual fatal consequences marked their course.

Previous to that day, namely, on the 28th of June last, a circular letter was addressed by Sir William Gossett to the several police officers, placing those functionaries on their guard with respect to the approaching 12th of July, and requiring them to mark for the purpose of prosecution such persons as should take a part in those illegal processions. This letter was by the police officers immediately laid before the magistrates in their several petty sessions, and every precaution that the Government and the police could take to prevent illegal processions on the succeeding 12th of July, and to punish infractions of the law against such meetings was adopted, and it was hoped and expected that the magistrates of your Lordship's county, and of every other county in Ireland, would have seconded and supported the wishes of the Government upon a matter in which the peace of the country was so deeply involved. Generally, the expectations of the Government were not disappointed; many of the magistrates exerted themselves to forward the intentions of the Government and to execute the law against illegal processions, but in some instances complaints were preferred not only that no exertions were made by the magistracy to uphold the law and to support the executive authority, but that in some places magistrates were found to sympathize with the violators of the law, to lend encouragement to processionists

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sionists in their illegal march, to triumph in their success, and to extend to their offences magisterial protection; complaints were also made that in some instances the officers of the yeomanry had used the influence and power with which their stations had invested them to foment party spirit, and to encourage illegal processions.

These complaints were specially made against the magistrates forming the petty sessions bench at Portadown and Tanderagee respectively, and against the yeomanry officers of the corps of those respective places.

Your Lordship has before you a voluminous correspondence upon the subject of these complaints respectively; you have also heard numerous witnesses deposing to the facts within their knowledge, and you have heard such statements as the parties complained of thought proper to make in their defence, and it will be your Lordship's province, for the information of his Excellency the Lord Lieutenant, to pronounce upon the effect of these several matters, but having had the honour to have been your Lordship's assessor during the whole of the investigation, I take leave to submit to your Lordship's consideration my humble views upon the whole matter.

Two distinct subjects of inquiry were confided to your Lordship, one affecting the magistrates and yeomanry officers of the Tanderagee district, the other affecting the magistrates and yeomanry of Portadown. The transactions at Tanderagee were the subject of your Lordship's investigation at Tanderagee, and occupied two whole days of your Lordship's time, during which period six-and-thirty witnesses were examined in support of the complaint and in defence of the individuals accused. The transactions at Portadown were the subject of the third day's investigation; upon which latter day several witnesses were also examined. On both occasions the witnesses were submitted to the cross-examination of all the parties interested; the proceedings were held in public: some of the parties complained of availed themselves of the aid of counsel or solicitor, and all were invited after the examination closed to add what they thought necessary in the way of defence or explanation.

The Portadown transactions being prior in order of time, I shall bring them before your Lordship in the first instance. Your Lordship will recollect that the inquiry at Portadown was twofold; one into the conduct of the yeomanry on the 1st of July last, the other into the conduct of the magistrates of that district with reference to the Portadown procession upon the 12th day of July last, and the proceedings consequent thereupon. It was charged that Captain Woodhouse, of the Portadown yeomanry, had (for party purposes) held a parade of his yeomanry corps on the 1st of July last with arms; that the drummers and fifers of his corps had on that day played party tunes; also that a bonfire had taken place, and that the drums of the corps had joined with other drums upon that occasion. It appeared in evidence before your Lordship, undoubtedly, that Captain Woodhouse did on the 1st of July last hold a parade of his yeomanry corps with arms; that on the evening of that day there was a bonfire in honour of the day; that the bells of the church were rung and Orange flags were suspended from its steeple; these latter demonstrations being usually made upon that anniversary in Portadown. But it also appeared that there was no party procession of any kind upon the 1st of July at Portadown; that the parade of the yeomanry with arms was for a purpose purely regimental; that the parade was inadvertently appointed for that day, and without any intention of serving any party purpose whatsoever, and that Captain Woodhouse is free from the imputation of any partisanship upon that occasion. However liable to misconstruction therefore this parade upon the 1st of July last at Portadown may have been, and though Mr. Woodhouse somewhat thoughtlessly adopted that day for a mustering of his men, I feel persuaded in my mind that Captain Woodhouse stands acquitted of any improper purpose or any party feeling. There is, indeed, a strong and uncontradicted body of evidence to show that Captain Woodhouse, to use his own language, "though he had once been, had long since ceased to be an Orangeman, and had openly and frequently expressed his opinion that every man should cease to be an Orangeman, as he had done, and should discountenance all party processions and demonstrations whatsoever."

I now, my Lord, come to the complaint against the Portadown magistrates for their conduct in reference to the transaction of the 12th of July last. These magistrates are Colonel Blacker, usually the chairman of the Portadown petty sessions, Mr. Joseph Atkinson, Captain Woodhouse and Captain Hill. The complaint against these magistrates appears to have a double aspect: 1st. It alleges that there was on the part of these gentlemen an indisposition to act in the prevention and suppression of the Orange procession of the 12th July at Portadown, if not a direct countenancing and encouraging of the processionists in their illegal course. 2dly. It alleges that there was not only an indisposition subsequently evinced by the same magistrates to execute the law for suppressing illegal processions, but that a disposition to screen from punishment the violators of that law was evinced by the magistrates in their refusal or reluctance to receive informations against the processionists at Portadown, although pressed by the police officers and by the Government to receive them.

Upon the first head of complaint I do not, my Lord, find any thing in the evidence before your Lordship to affect unfavourably the magisterial conduct of Mr. Atkinson, Captain Hill or Captain Woodhouse. Mr. Atkinson took scarcely any part in the transactions which were the subject of inquiry; Captain Hill living at a considerable distance from Portadown, rarely attended the petty sessions, and was induced by chief constable Patten to attend upon the occasions deposed to solely for the purpose of having informations against the processionists taken, and he and Captain Woodhouse appear to have been

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been cordially desirous that all party processions and demonstrations should be suppressed; and if Captain Hill and Captain Woodhouse were in any degree accessory to the delay which occurred in receiving informations against the Portadown processionists, that participation arose, I am convinced, not from any reluctance to receive the informations, nor from any indisposition to enforce the law, but rather from deference to the judgment of the chairman of the petty sessions, and from the impression that a correspondence as to the expediency of their being received was still on foot between Colonel Blacker and your Lordship as Lieutenant of the county, and Sir William Gossett on the part of the Irish Government. It further appeared, that Saturday, the 19th of October, had been fixed for peremptorily receiving the informations, upon which day they would have been received had they not been previously taken by Mr. Handcock. On this first head of complaint, therefore, against the Portadown magistrates, and I may also add, for brevity sake, upon the second head of complaint against them also, Captain Woodhouse, Captain Hill and Mr. Atkinson stand (in my humble opinion) altogether free from imputation.

With respect to Colonel Blacker, however, I deeply lament that I cannot convey to your Lordship the same clear expression of opinion; the summary of the evidence material for this part of the subject is this: It appears that on the morning of Friday the 12th of July last, large bodies of Orangemen marched from different quarters of the country into the town of Portadown; that in Portadown they united into one body, amounting in number, according to the opinion of Captain Patten, the chief constable of police there on duty, to between 1,000 and 2,000 men; that some of them were armed; that they were marshalled under leaders on horseback; that they marched in procession, their persons decorated with orange lilies, accompanied by flags and banners and with drums and fifes, sounding the well known airs of "The Protestant Boys," "Croppies, lie down," "The Boyne Water," and other party tunes; that the church bells were rung, orange flags were displayed from the windows; that the whole body proceeded in regular array through the streets of Portadown to Carrick, the seat of Colonel Blacker, about a mile from the town; that they entered the gate of Colonel Blacker's demesne, which was ornamented with an arch wreathed with orange colours; that they proceeded to the house of Colonel Blacker; that Colonel Blacker was not decorated with any of the insignia of Orangeism, though some of his family and servants were so decorated; that he addressed the assembled processionists in a speech, to the substance or purport of which we could not procure any witness to depose, Mr. George Woodhouse, by whom only any thing which took place within the demesne of Carrick has been deposed to, not having been within hearing of the speaker.

That after Mr. Blacker's address, the processionists marched immediately back from Carrick to Portadown in the same order in which they arrived at that place; and that after marching again in procession through the streets of Portadown as before, they separated to go into the public-houses for refreshment after the fatigues of the day; that no actual breach of the peace, beyond some drunken broils in the evening, took place, is not to be wondered at, when your Lordship considers the overpowering number and formidable appearance which the Orange force displayed, but that far different results might have been expected had there been a Roman Catholic organization strong enough to show itself in opposition. Your Lordship may collect, from the insult wantonly offered to Mr. O'Reilly and his friend during the latter part of the procession, on no conceivable ground, but that Mr. O'Reilly was well known to be a Roman Catholic gentleman resident in Portadown.

Your Lordship has before you the explanatory letters of Colonel Blacker and his address at the close of the investigation; how far his statements are consistent with or have been supported by the facts deposed to before your Lordship, is a matter important for your Lordship's consideration. I do not think it necessary for me to make any comment upon this comparison, but I feel it not unimportant to remark, that if there be any such inconsistencies or omissions now apparent, Colonel Blacker had it in his power, by the production of witnesses, or even by his own solemn assurances in public to your Lordship, to have reconciled the former and to have supplied the latter; it would undoubtedly have been most satisfactory to your Lordship's mind had Colonel Blacker enabled your Lordship, by the examination of witnesses on his part, to arrive at the conclusion that his address to the assembled Orangemen, over whom he is known to possess an influence proportioned to his rank and station and high character as a magistrate and country gentleman, had been directed to impress upon their minds a sense of the illegality and impropriety of the procession in which they were engaged, and of the propriety of their ready submission to the authority of the laws and of the necessity of their immediate departure, not in processional order, but by an actual and immediate dispersion to their respective homes. Colonel Blacker, by his omission to adduce witnesses or to offer any explanation upon this subject, has left it to your Lordship to decide upon the nature and character of this address, from the several circumstances detailed in the uncontradicted evidence of Mr. George Woodhouse as contrasted with the documents to which I have before referred, aided by your Lordship's knowledge of the relation in which Colonel Blacker appeared to stand towards, and the influence he is supposed to exercise over, the persons comprising that procession, together with the acts of the body addressed, and the correspondence and circumstances consequent upon the transactions of the 12th of July last. Your Lordship will on this part of the case no doubt remember the strong testimonials which you have had in the evidence of the able and useful exertions of Colonel Blacker generally as a magistrate to preserve the public peace and to promote harmony and good feeling amongst all classes of the King's subjects, and of his frequent and laudable exhortations to the people assembled at the sessions to that effect, but in so doing, your Lordship will not fail to notice also the indisposition manifested by this most able and influential magistrate upon more occasions than one (where the

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the time itself seemed seasonable for such a topic) to impress upon his auditors the illegality and the dangers of party processions, and to inculcate obedience to the law and to the executive upon this vital point.

The second subject of complaint against Colonel Blacker as a magistrate is, that not only was no step taken by him to prevent, to check, or to punish the violators of the law upon the 12th of July, but that, with a view of protecting those parties, informations against them, pressed upon him by the police constable, at the instance of the Government, were several times refused, or without sufficient cause postponed. From the evidence upon this subject, and from the correspondence referred to by Colonel Blacker in his defence, it is quite apparent that Colonel Blacker had a strong feeling against the taking of these informations. It is quite apparent that Colonel Blacker, and Colonel Blacker alone, was the cause of the delay which took place, a delay which it cannot fail to strike your Lordship, however well intended, was calculated to impress the ignorant and hot-headed amongst the supporters of party processions with the notion that the government of the country could not or would not enforce the Anti-Procession Act; whether Colonel Blacker really thought that such informations did not convey a legal charge, or whether he thought that the law was an impolitic law, and that it should not be enforced, or whether he thought it would be wise or expedient on that particular occasion, with a view to the preservation of the public peace, not to press the contemplated prosecutions, or whether he felt, in addition, the inconsistency of position in which he himself might appear, as wielding against the processionists of Portadown, in his character of a magistrate, that very law, the violation of which, on the 12th of July preceding, he had seemed to some to countenance by his own conduct and demeanour on that day, it is not for me to say: but I think the fair inference for your Lordship's consideration, from the whole matter which bears upon the subject, is, not that Colonel Blacker ever actually refused, or intended ultimately to refuse to take the informations tendered by Captain Patten; but that he still hoped and expected to impress upon the Government, through his own letters upon the subject, or through your Lordship's influence with the Government, which he might have hoped to enlist upon his side of the question, the impolicy of the prosecutions, and the expediency of not taking the informations. He must have known that an abdication of his duty in this respect would have entailed unpleasant consequences; he must have known that in the event of their being refused at Portadown, other magistrates would be found to receive the informations; he must have known that as the trials could not take place before March next, no actual failure or even delay of punishment could arise from a few weeks' postponement of an arrest of the persons charged; and supposing him to feel a great reluctance to the proposed prosecutions for any reasons, it is natural to conclude that Colonel Blacker's object was merely postponement, with a view to afford time to impress his own opinion of the impolicy of the prosecutions, and not with an intention wilfully to decline or artfully to evade the discharge of his duty as a magistrate.

But even in this view of the matter, it is an important consideration for your Lordship, whether or how far any justice of the peace, from his disapprobation of any prosecution, founded, not upon the particular demerits of the individual case, but upon personal opinion, or upon personal feeling, is at liberty to pause or to parley with the executive Government in the course of his magisterial duty; however this may be, it seems to be quite manifest upon the whole evidence that Colonel Blacker (perhaps to a degree imperceptible to himself) was, in the course of this transaction, under the influence of a sympathy for the feelings and circumstances of the processionists of Portadown, which interfered with that prompt and effective vindication of the law and discharge of his magisterial duty which, under other circumstances, and upon a different charge, his conduct would have exhibited. I now come to the transactions at Tanderagee, the subject of your Lordship's inquiry upon the two first days of the investigation; some of the material facts for your Lordship's consideration upon this inquiry are these: It appears that an indisposition on the part of certain magistrates to punish infractions of the Anti-Procession Statute was supposed to exist. Other magistrates, and amongst them Mr. Handcock, of Lurgan, were supposed to have been active in endeavouring to enforce this statute, and to punish by legal prosecution the violators of its provisions. Mr. Handcock had, as a justice of peace, caused to be arrested and brought to trial certain processionists at Lurgan, 14 in number, and on this account, and perhaps otherwise, was highly unpopular with a certain class of the Protestant inhabitants of Tanderagee and its vicinity. The Orangemen arrested by Mr. Handcock were tried before Judge Moore, at Armagh, on the 23d of July. Eleven of the 14 were acquitted, and all were liberated on the evening of the 23d of July. This result was celebrated as a great victory by the Orangemen, whose feelings were congenial with those of the prosecuted persons. Amongst others who had felt a deep interest in the fate of the processionists, and who had set on foot a subscription for their relief and remuneration, was Mr. Porter, a young gentleman holding the office of moral agent over the tenantry of Lord Mandeville, and residing in his Lordship's house, adjacent to the town of Tanderagee. Mr. Porter, who had attended the trial, returned to Tanderagee on the evening of the 23d of July, with the news of the triumph of "his friends." It occurred to Mr. Porter that there should be a bonfire at Tanderagee to celebrate the victory of the Orangemen, and accordingly, on the evening of the 23d July, he intimated to some, whose feelings were congenial with his own, his intention to have a bonfire at the Castle-gate on the succeeding evening, and bespoke a tar-barrel for the solemnity. The intended bonfire was the subject of public rumour on the next day, and preparations for its celebration were made by persons in the service and employment of Lord Mandeville. His Lordship was at that time

time absent from Ireland. On the evening of the 24th of July, it appeared that a pole, with a tar-barrel on its top, and an arm inserted into it, to give it the form of a gallows, was erected opposite the gate of Tanderagee castle, the residence of Lord Mandeville; that an effigy or representation of a man, to personate Mr. Handcock, the unpopular magistrate, was at the same time appended from the gallows. All these preparations and materials appear to have been made and provided within the walls of Tanderagee demesne; and with these preparations, the Very Reverend Dean Carter, Mr. Loftie and the officers of the Tanderagee yeomanry corps are entirely unconnected by any evidence. That there was to be a bonfire in celebration of the Orange triumph, as it was deemed, was generally known; but that another object, namely, the ignominious punishment of a magistrate for the discharge of his magisterial duty was to be conjoined therewith, was, it would appear from the evidence, though talked of by some entirely unknown to any of the magistrates or officers complained against, at least up to the very moment when the bonfire was kindled. It is but fair to add, that Mr. Porter, on his oath, disavowed any intention of insult upon Mr. Handcock, and disclaimed even acquaintance with the existence of the effigy, until a very short period previous to its ignominious elevation. It appeared further, that a procession of Orangemen, accompanied with women and children, with drums beating and fifes playing party tunes, and with other badges of Orangeism, marched through the town, and formed a circle round the bonfire; their number at any time does not appear to have exceeded 300 or 400 persons. It appeared that on the 24th of July, a party had dined at Tanderagee castle, of which party were Dean Carter and his daughter; the dean had, about six o'clock, passed through the street of Tanderagee, on his way from his own residence, which is situate about half a mile from Tanderagee to the castle, where he dined; but it was clearly shown, that there was, at that hour, no public demonstration to call for any interference on the dean's part, or to excite his observation; and it does not appear that Dean Carter had any intimation of any demonstration of a public nature until about eight or nine o'clock, when Mr. Porter, who had obtained from Lady Mandeville permission for her Ladyship's children to sit up to see the bonfire, announced to the party at the castle that the fire was just then kindled.

It appears that Mr. Loftie was also ignorant of any intention to have any bonfire or demonstration of any kind up to a period immediately previous to the bonfire being lighted; but just at that moment, Mr. Loftie, who had been to take a walk into the country with a lady nearly related to him returned home, his house was within 20 or 30 yards of the place occupied by the fire and its accompaniments, and he could not but see those objects presented obviously to his view. He appears to have been alarmed, and to have consulted with Serjeant Shatton of the police (who with three other policemen were the only force which a magistrate could immediately call upon to prevent or to suppress a threatened or an existing breach of the peace). Mr. Loftie and the serjeant agreed that any attempt on their part at that time, with so insignificant a force, to disperse the Orangemen or to stop the celebration would have only had the effect of creating a breach of the peace, and might have led to bloodshed or even loss of lives.

I persuade myself that your Lordship will be of opinion that Mr. Loftie and the serjeant of police in arriving at that decision were guided by a sound discretion.

That Mr. Loftie was informed that the effigy suspended from the gallows opposite his house personated Mr. Handcock, appears in the testimony of Mrs. Mee, but it also appears that this intimation was not made to him until the effigy had been for a considerable time on fire, and until the period for an interference on his (Mr. Loftie's) part to stop the proceeding seemed to have been passed, and certain it is that Mr. Loftie, both at the time of the occurrence and on the next day expressed his strong disapprobation of the celebration, and that before retiring to his house he gave orders to the serjeant to attend to the bonfire and to guard as far as possible against a riot or disturbance. Mr. Loftie appears to have taken no further part in the transaction, and certainly did not countenance the proceeding either by his approbation or his presence; he remained the whole night in his house, and did not witness any part of the scene, save that once during the night, at the instance of a female relative, he left the parlour in which he continued to write, to take from a window which overlooked the scene a momentary look at the brightness of the bonfire below. The strong impression therefore upon my mind is, my Lord, that Mr. Loftie's conduct upon this occasion, though not the conduct of an energetic magistrate, is entirely free from all imputation of participation in or connivance at the disgraceful transaction of the 24th July.

Shortly after Mr. Loftie had retired to his house the bonfire it appears was kindled, and Dean Carter and Mr. Porter, accompanying Lady Mandeville, her ladyship's children, and some ladies, came forth from the castle gate and took their stand upon a raised walk or terrace, which commanded the whole scene, and was not many yards removed from the fire; in this position the dean appears to have remained a full hour. During that period the progress of the fire was marked by loud huzzaing and shouting of the mob; popular characters were cheered, and Mr. Handcock was groaned. Three cheers were given for the noble Lady of the castle, three cheers for Lord Mandeville, three cheers for Mr. Porter, three cheers for Dean Carter, three cheers for Mr. Loftie, "the best of agents," three cheers for Colonel Blacker, for my Lord Roden, and other distinguished favourites of the Orangemen.

The dean appears, according to some of the witnesses, to have joined in this cheering; others state him to have acknowledged the cheers, or some of them, by waving his hat; that he was understood to sympathize with the circle round the bonfire in their general

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objects cannot be doubted, and that he apparently gave his approbation and his countenance to their proceedings is equally clear. There is certainly no direct evidence that Dean Carter was apprized of the name and dignity of the effigy which was suspended from the gallows in his front, and which was ultimately burned amidst the shouts of the surrounding people.

It further appeared, my Lord, that it was notorious through the crowd that the effigy represented Mr. Handcock. Some of the witnesses depose to repeated groans for Mr. Handcock, and it appeared on all hands that the name of Handcock, as coupled with the effigy, was in almost every mouth, and in the course of the day of the 24th of July it was rumoured through Tanderagee that Mr. Handcock was to be burned in effigy. Your Lordship will not however fail to remember the evidence of the Rev. Mr. Carpendale, he is the son-in-law of Dean Carter, and was not himself at the bonfire; he saw the dean on the morning of the 25th of July, and states the dean to have told him then that he disapproved of the bonfire and did not know of the effigy until that day, and Mr. Carpendale accounts for the dean's declaration by adding, that Dean Carter is so dull of hearing that he might not have heard the name of Handcock at all during the bonfire. Now, my Lord, assuming this statement to be in all its parts correct (and yet it was not directly asserted by the dean himself at the inquiry), and that the dean had no curiosity to learn, and remained the whole evening in total ignorance of the name and dignity of the person whose effigy was condemned by the popular voice to this degrading and insulting catastrophe, can this ignorance account for, or will it justify a magistrate in countenancing and accrediting by his presence, and by his approbation, the indecent exhibition of an Orange triumph over an Act of the Legislature, coupled with the infliction of an infamous punishment upon the effigy of some unknown person. The dean's counsel, before your Lordship, relied upon it that it would have been impossible for the dean, with all the disposable civil force within his control, to have dispersed or suppressed the meeting so assembled, to which it was added, that prevention was impossible, as the dean had no previous intimation of the intended meeting. All this, my Lord, the dean is entitled to the benefit of; but, my Lord, did he rebuke any of the parties concerned in the disgraceful scene of which he was no unwilling witness for above an hour? Did he manifest his sympathy with their objects? or did he countenance their proceedings by his acts and by his presence? Under all these circumstances of this painful case, my impression is, that your Lordship will be of opinion that the grounds upon which the Lord Chancellor was pleased to remove Dean Carter from the commission of the peace have not been either removed or weakened by the evidence disclosed upon the late investigation.

With respect to that part of the complaint which affects Captain Patten, Mr. Trotter and Mr. Hardy, the officers of the Tanderagee yeomanry corps, a more agreeable duty remains to be performed; Mr. Hardy, notwithstanding the positive swearing of one witness, Richard Morrison, was demonstrated not to have been at any period of the evening of the 24th of July within one mile of the town of Tanderagee; Morrison had been, up to a recent date, a yeoman of the corps in which Mr. Hardy was an officer; he could not have mistaken for his own officer Mr. Hardy's son, a boy of twelve years old, and his swearing must have arisen either from mistake or a desire to calumniate Mr. Hardy; I call this circumstance to your Lordship's attention, because, together with the manner and deportment of the man when under examination, and other circumstances, it would induce me to lay no stress upon any part of the evidence given by Morrison.

The case against Mr. Trotter, if taken upon the evidence of Mr. Morrison, would represent that officer also as having by his presence, and by his cheering, countenanced some portion, at least, of the indecent proceedings of the evening, and this testimony of Morrison is supported by three persons, named respectively Tryer, M'Veagh and Larkin, and whose affidavits upon this subject were before your Lordship previous to the investigation, but the testimony of other witnesses, free from any bias or influence, the circumstances in which Mr. Trotter was placed, and the manner in which all the witnesses to this point gave their evidence, as contrasted with the others, have left upon my mind a strong impression that Morrison and the other persons who made affidavits with him, have either mistaken or grossly exaggerated the facts with respect to Mr. Trotter. My opinion with respect to Mr. Trotter is, that he stands acquitted of any participation in the scene of 24th July; against Captain Patten the same witnesses have deposed who deposed against Mr. Trotter, and there is no doubt that he was more prominent on the occasion than Mr. Trotter, and his conduct was less discreet; but for reasons similar to those before stated respecting the last-named gentleman, I confess my indisposition to rely much on the exaggerated swearing of those persons. Captain Patten appears to have been entirely unacquainted with the preparation for, or the intention of having any bonfire. His presence at the fire seems to have been purely accidental, and his continuance at the scene appears to have arisen as much from respect to Lady Mandeville as from any sympathy which he may have had with the feelings of those who exulted in the acquittal of the Lurgan processionists, and it must also be recollected that he resisted with all his force, though unsuccessfully, the honour of a chairing forced upon him by Mr. Porter and some of the mob.

Your Lordship will also recollect in Captain Patten's favour the promptness with which that gentleman tendered himself to be sifted by a cross-examination upon his oath, and the candid manner in which he deported himself during that ordeal, as well as the strong terms in which he reprobated such demonstrations of party spirit. I should add, with respect to Captain Patten (and the same observation applies to Mr. Trotter), that on the evening of

the

the 24th July Captain Patten was not in uniform, nor upon any duty, but merely in his character and capacity of a private citizen, neither called upon nor warranted as a yeoman to assume the office of a guardian of the public peace.

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It was said by a witness that a fifer of the Tanderagee yeomanry was one of those who played party tunes during the celebration, and that some members of the corps were present, but if this fact had been clearly established, it is equally clear that these persons were not then under the orders of their captain, that they were not in uniform, or on duty, nor seen or recognized by their officers.

These are the observations which it occurs to me to offer upon the whole case investigated by your Lordship, a case undoubtedly of much importance, as involving deeply the moral order and public peace of a most interesting and important portion of His Majesty's people, namely, the county over which your Lordship presides as lieutenant, with so much credit to yourself and so much advantage to the public.

I have the honour to be, &c.

To the Right hon. the Earl of Gosford. *P. C. Crampton*, s. g.

Jovis, 23° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Mr. *Patrick M'Connell*, called in; and further Examined.

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6512. YOU have already spoken of a procession which took place in Tanderagee on the 13th of July 1835?—Yes, the present month.

6513. Did any whom you knew to be yeomen of Tanderagee attend in the procession or follow the procession?—I saw a number of the Tanderagee yeomanry walk in the procession as Orangemen.

6514. By whom is that corps commanded?—By Captain Patten.

6515. District master of Tanderagee?—He was so; I cannot state whether he still is.

6516. Has it reached your knowledge that any persons have been acting as officers in the corps of yeomanry of Tanderagee, and receiving pay as officers without the knowledge of the Government of the country?—Yes.

6517. State what you know of that transaction?—In the year 1818, as far as I best recollect, the corps was commanded by the present gentleman Doctor Patten, his father having held the command for several years before, and having given it up from age; at the same time there were in the corps three lieutenants, Mr. Peter Quin Kean, Mr. William Bradford and Mr. John Hardy. Mr. Bradford, I believe, died in 1818, and Mr. Hardy in 1820; the corps was put on permanent duty, I think, in 1821, as were also the different corps in the county of Armagh, and on the corps being put on permanent duty, there were three persons assumed the garb of officers, and acted as such.

6518. Had they the uniform of officers?—Yes, the garb of the yeomanry officers; those persons were Mr. Abraham Hardy, Mr. Richard Trotter, the postmaster of the town, and Mr. John M'Gowan.

6519. Were those Orangemen?—They were, all of them: John M'Gowan was district master of the district of Portmorris, about six miles off. I think it right to state that M'Gowan had been an officer of a corps called the Acton corps, that was disbanded some time before this; I believe there was one commission issued from the Castle, directed to Mr. Abraham Hardy, as second lieutenant, but it appeared that Captain Patten had promised the first lieutenancy to Hardy, and had also promised it to Trotter; a dispute arose between Hardy and Trotter as to the right to the first lieutenancy, and after considerable discussion, they met at the house of the curate of the parish, the Rev. Mr. Wilson, and by friendly intervention and interference they agreed to cast lots who should have the first and who the second lieutenancy. Mr. Abraham Hardy got it, and I believe is at present the first lieutenant of the corps; but for a considerable time before this they had received pay as officers, and I believe the returns were made up in the names of Kean, who had retired, having been appointed to a situation in the Excise, and of Bradford, who was dead, and of John Hardy, who was also dead; and these returns were verified and signed by Captain Patten, as if those retired and dead officers had been actually doing the duty that belonged to them as such officers.

6520. Did you ever see any one not a yeoman assume the command of the yeomanry corps?—I saw those three persons I have mentioned acting as officers; I saw them with the men drilling them.

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6521. Were their names at that time forwarded to the Government as officers?—I believe not at that time.

6522. How long was pay received in the names of those persons who were not officers and who were dead?—I believe during the time the corps was on permanent duty.

6523. How long was that?—I believe nearly a year.

[*The Witness was directed to withdraw.*]

[*The Witness was again called in.*]

6524. How do you connect with the Orange system this evidence with respect to Dr. Patten's conduct?—I cannot, except by the appointment of men who were notorious Orangemen to those situations without any authority from Government, and because they were Orangemen.

6525. Have you observed any one not an officer of the corps assume the command of the corps upon any occasion of party processions, did you ever know one not an officer of the corps call the corps out?—I knew Dean Carter on one occasion, I think in the latter end of April 1829, or early in the month of May; it was in the evening he came riding into Tanderagee on horseback; he lives at a very short distance from the town; he rode to the houses of several respectable Protestants, and told them to turn out immediately and get their guns.

6526. Were they yeomen?—I cannot say that; he said there were 700 Papists coming from a place called Points Pass to murder all the Protestants in the town; there was very great excitement and alarm in consequence; I saw women running from their houses with their children in their arms, to take refuge at places as they thought of safety; the yeomanry drum beat to arms; the yeomen in the town and neighbourhood assembled, and they went off after dark, accompanied by a magistrate and by Mr. Trotter, the postmaster.

6527. What magistrate?—Mr. Lofty, the magistrate of the town; a great many shots were fired through the streets, and they proceeded to this place called Points Pass, about three miles from Tanderagee, for the purpose of meeting those persons who were so alleged to be coming for the purposes I have mentioned; I remained up in consequence of the excitement, and did not go to bed till the yeomanry returned; on their return through the town again, they played party tunes, "the Protestant Boys and "the Boyne Water," and it appeared (I do not know this of my own knowledge) that when they went there they found all the inhabitants of the place retired to rest, and not the slightest appearance of any disturbance whatever, or any person following any thing but their legal and proper occupations; that is all I know about the matter.

6528. When you speak of the yeomanry who attended on this occasion, do you mean the Tanderagee corps?—Yes, as many as could be collected on the occasion.

6529. Is the Tanderagee corps exclusively Protestants?—I believe so, exclusively Orangemen; I believe that no one would be admitted into the corps, unless they were Orangemen.

6530. If they were not Orangemen, would it not be very easy to prove it?—I suppose so.

6531. You state that in 1835 there were a number of yeomen who appeared regularly in the Orange procession on the 13th of July?—Yes, but they did not appear as yeomen, but as individual Orangemen, marching in procession; I knew them to be yeomen before.

6532. How many of them, as far as you could ascertain?—I think either 20 or 22; I think I have a list of them.

6533. You mentioned in 1796 a murder committed by Orangemen?—By reputed Orangemen.

6534. Cannot you call to mind about the same period, a great many murders and depredations, and outrages committed by Roman Catholics?—At that period I have not in my recollection any murder committed by Roman Catholics in the county of Armagh, nor do I believe there were any.

6535. You are aware, of course, that the first Orange Lodge was formed in September 1795?—I have heard so, but I was a child, an infant I believe, at that time.

6536. You are acquainted with the history of the country at that time, of course?—Yes, I have read it.

6537. From

6537. From what you know of the history of the country, do you not believe there are circumstances which render it very natural that persons of property, and who wish to guard their lives and property, should confederate for the purposes of self-defence?—I believe there might be a necessity for confederation, but not against the body of Roman Catholics; the confederation at the time appears to have been exclusively directed against the lives and properties of His Majesty's Roman Catholic subjects in that country.

6538. Having formerly occupied the situation of schoolmaster, and being a man of intelligence, you have probably read the Report from the Committee of Secresy of the House of Lords: "Your Committee beg leave first to recall your Lordships' attention to a Report made to this House on the 7th of March 1793, by the Lords' Committees, who had been appointed to inquire into the causes of the disorders and disturbances which prevailed in this kingdom in the years 1792 and 1793, by which it appears, 'That considerable bodies of insurgents, then distinguished by the name of Defenders, infested the counties of Meath, Louth, Cavan, Monaghan, and other adjacent districts during that period; and that the measures which were then pursued by them, appeared to be concerted with a degree of system and regularity which proved distinctly that they were directed by men of superior rank, who stimulated the lower orders of the people to tumult and outrage, as leading to the abolition of tithes, hearth and county taxes, and to the reduction of rents. That during that period very considerable sums of money were levied upon the Roman Catholics of this kingdom, under the authority of a committee of persons of that persuasion, who then assumed and seemed in a great degree to succeed in the government and direction of the whole body of Irish Catholics; and that out of the general fund thus created, protection was extended to persons who were criminally prosecuted for the most daring and flagrant crimes. That during the same period an unusual ferment disturbed several parts of the northern province, particularly the town of Belfast and the county of Antrim, kept up and encouraged by every artifice which turbulence and disaffection could suggest, and more particularly by the most licentious abuse of the press. That the conduct of France was openly held up as an example for imitation; that hopes and expectations were given of French assistance, by a descent upon this kingdom; and that prayers had been publicly offered up at Belfast from the pulpit, for the success of the French armies, in the presence of military bodies, which had been newly levied and arrayed in that town, without any legal authority. That several other military associations had, in like manner, been entered into in different parts of the province of Ulster, composed of persons of a very inferior description, armed without authority, and disciplined by officers of their own election. That these armed bodies were daily increasing in numbers and force, and had exerted their best endeavours to procure military men of experience to command them; some of them having expressly stated, that there were men enough to be had, but that officers were what they wanted. That arms and gunpowder, to a very large amount, much above the common consumption, had been recently sent to Belfast and Newry, and that orders had been given for a much greater quantity, which could be wanted only for military operations. That at Belfast large bodies of men in arms assembled nightly by candlelight, to be drilled and exercised, and that repeated attempts were made to seduce the soldiery, which, much to the honour of the King's forces, had proved ineffectual. That at the same period a body of men had been arrayed at Dublin, under the title of First Battalion of National Guards, their uniform copied from that of the French National Guards, and marked with emblems of disaffection. That the declared object of these military preparations was, to procure a reform of Parliament; but that the plain and palpable intention was to overawe the Parliament and executive Government, and to dictate to both.'" You will observe this occurred in 1792 and 1793; such a state of things having occurred in those years, and also it being stated, "It appears to your Committee, that the organization, as it is called, by which the directory of the Irish Union was enabled to levy a revolutionary army, was completed in the province of Ulster on the 10th of May 1795, which was three months before the formation of the first Orange Lodge;" do you not conceive that state of things not only excused but demanded in the province of Ulster?—I think it would, under such circumstances, be the duty of all classes, of every denomination, to confederate for the preservation of the constitution and laws of the country; but

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I do not think it would be the duty of persons to combine and exclude others of another denomination.

6539. Do not you conceive that if it was known, as it appears to be there, that the great body of the Roman Catholics—for so it is stated—that the great body of the Roman Catholic population were under the influence of this Catholic Directory, is it not most important, under circumstances of such extreme peril, that none should be admitted into a confederacy for self-defence but men who were known to be of tried principles, and that under those circumstances Roman Catholics should be excluded?—As far as my recollection of history goes, I think the Directory alluded to was not at all a Roman Catholic Directory, but that the majority of it was composed of Protestants and not Catholics, and I think a part of the history shows that fact, that they were Protestants and not Catholics; I think Mr. Emmett, Mr. Sampson, and Mr. Nelson and others were Protestants.

6540. Although the committee, or the greater part of them, were Protestants, Mr. Toone was at the head; is it not stated in this report that they in a great degree seemed to succeed in the government and direction of the whole body of Irish Catholics?—I do not think that; I think there were a good many Roman Catholics as loyal and as well-disposed at the time as any Protestants in the country.

6541. How old were you in the year 1793?—I am not certain that I was born in 1793.

6542. Do you consider that your opinion, you not being born in 1793, can be put in competition with the opinion of the Committee of Secresy of the Irish House of Lords?—If I am asked my opinion upon this subject, certainly not, but I have given no opinion; but from the history of the times and conversations with respectable individuals who lived in those times, for instance, I had great opportunities of conversing with my father, who was an acute and intelligent man, and who lived in those times; he has told me that the association of Defenders alluded to arose solely in resistance to the Peep-of-day Boys, as they were called at the time; that they, the Defenders, were not first formed, but after the Peep-of-day Boys were formed, to defend themselves from the Peep-of-day Boys, and that thence they took the name of Defenders, and that the Peep-of-day Boys, from their nocturnal burnings and murders, drove the Roman Catholics out of the county of Armagh and other northern counties, and that the Catholics associated to defend themselves and their properties, inasmuch as they felt that the Government of the day did not duly protect them.

6543. Perhaps you are aware that this feud between the Peep-of-day Boys and the Defenders was soon composed, but that subsequently a general system of robbing the Protestants of their arms was established by this Irish Union, to which allusion has been made. Have you read the speech of Lord Clare in the year 1798: "Many years since, the Protestants, in a mountainous district of the county of Armagh, associated, under the appellation of Peep-of-day Boys, to disarm their Catholic neighbours, who associated for their common defence, under the title of Defenders. This feud, however, was soon composed, and for years there was not any revival of it. But when the general system of robbing Protestants of their arms was established by the Irish Union, and the lower order of the Catholics assuming their old appellation of Defenders, undertook this service, the Protestants in the county of Armagh, associated for their common defence under the title of Orangemen, and feeling in the progress of the contest that they were an overmatch for their adversaries, they did commit many very grievous excesses, which I lament as deeply as the noble Lord. In the origin of this contest, many years since, there is no doubt the northern Protestants were the aggressors; but the feud was notoriously revived by the modern banditti of Defenders, who in their turn attacked the Orangemen and would have disarmed them." Does not that appear to you a tolerably correct description of what you heard took place at that time?—Not altogether.

6544. How old were you in 1796?—I think I was about a year old, as appears by the entry in a prayer-book.

6545. When you were a year old, you were so advanced in intellect, that you were able to give the particulars of a murder which took place at that period?—I did not say yesterday that I stated that from my own knowledge, but that I had it from my aunt, the wife of the murdered individual, and who often told me of it with tears; she died, I think, last year. I mentioned, that if it was not

not legal evidence, and the Committee thought fit to interrupt me, they might do so.

6546. You have heard, probably, of the state of Ireland two years later than that, of numerous murders committed on Protestants, and that a great number of Protestants in the country were obliged to emigrate to England?—I never heard of any such thing.

6547. Have you never read this passage in the speech delivered by Lord Clare, in a motion on the Union, in the year 1800, in the Irish Parliament: "With respect to emigration, look to the number of Irish emigrants who now crowd every village in Great Britain, and have been driven to seek an asylum there from the brutal fury of the Irish people, and the cold-blooded treachery of their own domestics, palpably fomented and encouraged by Irish faction and Irish treason, and let any dispassionate man say, whether the evil of emigration can ever be greater than it is at this day. If we are to live in a perpetual storm here, if it is to remain at the discretion of every adventurer, of feeble and ostentatious talents, ungoverned by a particle of judgment or discretion, to dress up fictitious grievances for popular delusion, and let loose a savage and barbarous people upon the property and respect of the Irish nation, what gentleman who has the means of living out of this country will be induced to remain in it?"—I never read such a speech before, nor heard of it; and from the character of Lord Clare, I should place very little reliance on what that report states.

6548. As Lord Clare was at that period Chancellor of Ireland, as he spoke in the presence of the Irish House of Lords, as he was at that time exceedingly desirous to make the greatest possible impression on that House, as he was endeavouring to persuade them to agree to the Treaty of Union, and as he spoke to facts with which they, as Irishmen, must be perfectly familiar; do you conceive that either respect to his character, or to the object which he had in view, would have permitted him to make statements which every body who listened to him must have been able to detect, if they were false?—I think that when a gentleman becomes very intemperate, and becomes an extreme agitator, there should be very little regard paid to what he says; and if I recollect the character of that same Lord Clare, when he came to the House of Lords in England, he began to bully there in the same manner as he had in Ireland, but that a noble Lord, a peer of England, put him down.

6549. Supposing that same noble Lord not only makes a general statement, but alludes to particular bodies and associations by name; that he mentions the particular circumstances and points to them as circumstances well known, and with which the Irish Parliament must be familiar; do you think if he had stated what was untrue, he would not have been instantly detected?—I think that when he used that language in that House, he used it among his partisans, men who felt as he did, and who would not contradict him; perhaps if the reply was given to that which he stated, that may elucidate it better than I can. I cannot take upon myself to speak accurately upon the subject, not being aware this line of cross-examination was to be pursued; if I had, I would have prepared myself for it.

6550. Will you listen to another passage of his speech, and judge whether, as a man who would not violate the first principles of common sense, he would have stated these things if they had not occurred, it being to be observed, that in relation to the murders he pointed out, he is speaking in reply: "Has the noble Lord heard of the numberless murders which have been perpetrated by the orders of the Irish Union, for the crime of putting the laws of the country into a course of execution? Has he heard of the murder of Mr. Butler, a clergyman and a magistrate? Has he heard of the murder of Mr. Knipe, a clergyman and a magistrate? Has he heard of the murder of Mr. Hamilton, a clergyman and a magistrate, and the circumstances of horror which attended it? whilst this gentleman and his wife and children were quietly sitting with their guest by the fire-side, a volley of musquetry was discharged into his house, which instantly killed Mrs. Waller; and this was the first notice of the attack. The savages who surrounded the house cried out for Mr. Hamilton, and threatened to burn it, unless he was delivered into their hands; when this unfortunate gentleman was dragged from his hiding-place by the servants of his host, delivered into the hands of his enemies, and butchered by them with aggravated circumstances of barbarity too shocking to relate. His widow

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and helpless children have a pension from the Crown, or they must have perished for want. Has the noble Lord heard of the murder of Mr. Cummins, whose crime was, that he had presumed to enrol his name in a corps of yeomanry under the command of his landlord, the Earl of Londonderry? Has he heard of the attempt to assassinate Mr. Johnston, a magistrate in the populous town of Lisburn? Has he heard of the recent murder of Colonel St. George, and of his host, Mr. Uniacke? Has he heard of the recent murder of two dragoons, who had discovered to their officers an attempt to seduce them? In a word, let me ask the noble Lord, whether he has heard of the numberless and atrocious deeds of massacre and assassination, which form a part of the system acted upon by the Irish Brotherhood, and encouraged by the privileged orders of innovation?" Do you conceive when Lord Clare referred to all those circumstances in the presence of the Irish Parliament, he could have stated that which was not to his knowledge true?—I think he must have felt some grounds for making such statements in the face of the House; but I am not prepared to state to what extent they are true.

6551. Are you aware that in the year 1803 there was a rebellion termed the Emmett rebellion?—Yes.

6552. That and the recent breaking out of the war with France, when revolutionary France was very powerful, would, of course, render it expedient that loyal men should arm and confederate to defend the country against domestic treason and foreign invasion, would it not?—No doubt.

6553. Do you recollect Mr. Pitt in 1805, when he moved for the suspension of the Habeas Corpus Act, stating that though the French party was not so numerous in that period as it was in 1798, there was still a numerous French party in Ireland?—I believe I have read his speech to that effect.

6554. Do you remember in 1807, Mr. Wyndham, in his place in Parliament, stating on the authority of Mr. Grattan, though he was then opposed to the Government, that he approved of the Insurrection and Arms Bill, on account of there being a French party in Ireland?—I do not recollect it minutely; I have a faint recollection that there was such a thing; but I cannot take upon me positively to state.

6555. Can you call to mind that so late as 1825, when Lord Sidmouth was accused of keeping up so large a force as 25,000 men for Ireland, he stated that he did it for the purpose of defending the people and property against outrage?—No.

6556. Do you remember Mr. Goulburn moving for the Insurrection Act of 1822?—I do.

6557. Do you recollect the frightful picture he gave of the south of Ireland at the period?—I do.

6558. Do you remember his stating, that it was necessary even to put witnesses into gaol because they could not safely be at large before the trial?—I read his speech which contained very strong observations as to the state of society in the south of Ireland, and as to outrages in the habit of being committed there; but I cannot detail the particulars.

6559. Did you ever read the speech delivered by Mr. O'Connell at the Munster provincial meeting held in Waterford on the 30th of August 1826?—I may have read it, but I do not recollect the particulars of it.

6560. Do you remember these concluding passages: "One bloody rebellion has been succeeded by another, insurrection has responded to disturbance, and one public atrocity has been exceeded by that which followed. We tread a volcanic land, the combustible materials ferment, and boil and bubble beneath us; bursts of smoke and lighter flashes of uprising flame denote the mighty mischief within, and he is a bold prophet who can tell at what period the earthquake shall shake the mountains?"—I do not recollect ever having read any such thing.

6561. You are aware, perhaps, this is the only speech in this collection which was corrected by Mr. O'Connell?—I am not aware of that.

6562. You are probably acquainted with the fact that two years later there were very large meetings of the Catholics in Tipperary and other counties in the south, which created no small degree of alarm on the part of Protestants?—I am not aware that those meetings in the south of Ireland created any great alarm in the minds of Protestants in the county of Armagh; I cannot speak to any other parts.

6563. Do

6563. Do you not recollect a large party of Catholics marching under the command of Mr. Lawless, to subdue what he called the Black North?—No, I do not recollect that expression; but I recollect his coming towards Ballybay in the county of Monaghan; that he stated he did this for the purpose of showing to the people of the north of Ireland the state of Roman Catholic affairs, and to induce subscriptions to support emancipation; and that on his way a great number of Roman Catholics joined him from place to place, and accompanied him, which I thought at the time extremely foolish and improper.

6564. Have you ever heard it was in consequence of the King's troops taking a position between the Protestants and this large body of Catholics that an extremely serious affray did not take place?—I heard that a man of the name of Gray, who resided at Ballybay, and was the leader of the Orangemen, assembled them in order to take means for the purpose of opposing the further progress of Mr. Lawless, and that the Orangemen so acting were armed; that they had a large quantity of ammunition, and that they took a position in the town of Ballybay for the purpose of preventing their entrance. I heard that General Thornton came from Armagh in a great hurry, and brought all the troops he could with him for the purpose of preventing the collision, and that by his very judicious conduct he prevented that collision between the parties; and that Mr. Lawless on his representation immediately went back, and did not proceed on his intended route or progress. I have no doubt that is true.

6564*. You have also heard that one of the motives why the Duke of Wellington was induced to pass the Emancipation Bill was his fear of a civil war?—I have heard that.

6565. Did you ever learn that in 1831, Lord Grey's Government thought it expedient to rearm the yeomanry of the north?—No, I did not hear that they thought it expedient to rearm the yeomanry of the north, but that on the contrary, the Government at the time thought of disarming them.

6566. You are not aware that the yeomanry were rearmed by Lord Grey's Government?—I have seen the old arms of Dr. Patten's corps taken in and new arms given out to the men. About that period I think I have seen the men coming in with their old arms, and getting out what appeared perfectly new, from the stores of Dr. Patten in Tanderagee.

6567. You doubtless know that since the passing the Emancipation Bill, about 1830, 1831 and 1832, the Roman Catholic population in the south of Ireland have opposed a passive resistance to tithes?—I have heard so.

6568. And that that has occasioned at times collisions between the King's troops and the people?—Yes.

6569. Do you not believe that a very large portion of the south of Ireland has been in a very disturbed state?—It appears so.

6570. That it has been deemed necessary by Government to suspend the habeas corpus and to pass a Coercion Bill, and that notwithstanding that, very numerous outrages have taken place on every side?—It was deemed necessary by the Government to bring in a measure called the Coercion Bill, which contains very strong powers for the purpose of suppressing disturbance.

6571. Did you ever hear that in the last year 179 murders were committed in the county of Tipperary alone, and that only one person has been prosecuted and brought to judgment?—I never did.

6572. You are aware that not only the lay-leaders of the Roman Catholics, but the great body of the Irish Roman Catholic priesthood were identified with the proceedings of the Roman Catholic Association?—I believe they were.

6573. You are aware, of course, that Dr. Doyle and the Roman Catholic clergy were among the first to counsel passive resistance to tithes?—I have heard that Dr. Doyle was, but I have not heard that the great body of the Roman Catholic clergy were, nor do I know that. I heard that Dr. Doyle did write very strongly, and speak very strongly against tithes.

6574. You are aware that an association has been lately formed termed the "Anti-Tory Association?"—Yes.

6575. You are aware that Mr. O'Connell has recommended the adoption of liberal clubs?—Yes.

6576. Have you heard that there is a liberal club in Monaghan?—Yes.

6577. And another in Tyrone?—I have not heard of one in Tyrone.

6578. Have you heard there is one in Limerick?—No; I know very little of these matters, except reading newspapers occasionally.

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6579. Did you ever hear it stated by Mr. O'Connell that the Roman Catholic priests and clergy had again identified themselves with agitation, and had again appeared in the form of political agitators?—No.

6580. Do you read newspapers frequently?—Yes.

6581. What Dublin paper do you read?—The Evening Mail frequently.

6582. Do you ever read the Weekly Register?—Yes, and I read the Pilot; I read Saunders's News Letter, and I read the Warder. I invariably make it a point of reading the papers on both sides, so that I may form an opinion myself upon the subjects. I do not get information that pleases me from one exclusively.

6583. Did you, in the Weekly Register of December the 27th, 1834, read this passage from the speech made by Mr. O'Connell at the Anti-Tory association: "I hail with pleasure the many instances which are now given of the Catholic prelates feeling it to be their incumbent duty to come forward as political agitators; an illustrious example is given by one of them, a man of gigantic talents, a man of the greatest accomplishments, the first of classical scholars of his day, the most elegant writer in the English language of the present time, one of the most profound theologians of our church, him whom I am proud to call my venerated friend, the most Rev. Dr. M'Hale; the example he has set must be followed by many, and many others. The formation of the abominable and paltry administration, for such it is, makes it absolutely necessary for the Catholic prelates and clergy to adopt the part which they have taken; politics and religion must be named together; religion is assailed by bigotry; freedom of conscience by intolerance; the liberty of the subject by oppression. What more audacious proofs of the necessity for the Catholic clergy and people of Ireland to exert themselves could be offered than this?"—I cannot positively say that I did not read it, but I will not say that I did; it is a considerable time back, 1834, and I do not treasure up those kind of speeches in my memory.

6584. In addition to those liberal clubs, and this Anti-Tory association, and this political union between the Roman Catholics and Mr. O'Connell and his party, as stated by Mr. O'Connell in his speech, do you know of an exclusive confederacy among the Roman Catholics?—I do not.

6585. Did you never hear of the society of Ribandmen?—I did.

6586. Do not you call them an exclusive confederacy?—I believe there is no such society in existence now in the north of Ireland.

6587. Do you know the county of Down?—I do.

6588. Will you attend to a passage in the speech of Mr. O'Connell, reported in the Dublin Weekly Register of Saturday, November the 22d, 1834, delivered by him at a grand dinner given to him in Cork: "But why go into details; it is enough to state, that in the county of Down the Ribandmen, an illegal body of men, discountenanced by the Catholic clergy, by every honest man and every true friend to Ireland, that in the county of Down alone the Ribandmen marched in open day, bearded the magistrates and constituted authorities, set the Orangemen at defiance and dared them to the field; in fact, so superior were the Ribandmen to them in numbers, that they were two and a half to one?"—May I beg to ask at what time that speech is stated to have been delivered?

6589. At a grand dinner at Cork in the November of last year.—I think those sentiments were attributed to Mr. O'Connell.

6590. Do not you consider Mr. O'Connell generally pretty well acquainted with the state of Ireland?—I should think so.

6591. Of course he would not have stated that fact at a grand dinner unless he believed it to be correct?—In my own opinion I do not believe it is correct; I believe that there is no such society in the country to that extent; I cannot enter into the motives of others who make such statements.

6592. Did you never read a book written by Mr. Wyse, the History of the Catholic Association?—I did.

6593. Did you never hear it stated by him, that after the dissolution of the Catholic Association the Ribandmen were greatly increased, not only in the south but in the north of Ireland?—I do not recollect that.

6594. Are many of the Roman Catholics in the north armed?—I believe not.

6595. Did you never hear that Mr. O'Connell stated in his place in Parliament

ment that the Catholics in the north of Ireland were armed to a man?—I have heard he stated that, but I do not believe it; and I will say further, I do not at all credit a great many of Mr. O'Connell's statements upon these subjects.

6595.* Were there any Roman Catholic meetings this year on St. Peter's eve?—I have not heard of any; I was in Dublin at the time.

6596. Were you in Dublin at the time of the procession that met Lord Mulgrave?—I was, I saw it.

6597. You perhaps are acquainted with the fact, that a few days ago the Prime Minister stated in the House of Lords that all processions were illegal, whether they commemorated any national event or not?—I heard that it was said all processions which tended to a disturbance of the peace were illegal.

6598. Do not you conceive that if great exertions had not been made by the Orange Lodge to prevent a disturbance of the peace, that procession in Dublin was eminently calculated to have created a disturbance of the peace?—I think not.

6599. Did you never hear that forged letters were sent to some of the Orangemen, with Lord Roden's name attached to them, urging them to go to the theatre when Lord Mulgrave attended it?—I did not.

6600. You never have heard that they were only prevented going to the theatre by the exertions of the Orange Lodge?—I never heard that.

6601. Do not you conceive that procession was eminently calculated to persuade the Orangemen in the north that there was not equal justice administered between the two parties?—I do not think it was; I saw the procession, I was in a window in Dame-street during the whole time that it passed, and I will describe what I saw. The procession was certainly a very large one; there were no colours appeared there except green, white and blue; there were a great many banners, and principally of the trades' union; I did not see any motto on those banners that in my mind was calculated to have the tendency alluded to.

6602. You saw a harp without a crown?—I did not, and I am positive that there was no such banner there; and I might say, that the report of the procession contained the next day in the Evening Mail newspaper was as false a document as was ever contained in any public print.

6603. Do not you know that it has been stated in the House of Lords that the harp without a crown was there, but it was the emblem of one of the Admiralty barges?—I have heard that, but I saw no such thing, and I believe there was no such thing there; I saw none such, and I recollect particularly every banner passing.

6604. But if it was there, your negative evidence goes for nothing?—Of course, on that point, but I saw the procession.

6605. Has that procession had a bad effect on Ireland in your opinion?—I should rather say it would have been better that procession had not taken place. I would rather on my own part it had not, I am very anxious that these party displays should be put an end to; I am of opinion that they are adverse to the peace of the country, and very much tend to promote the recollection of the unfortunate feuds that distract and have distracted Ireland. I would rather not have seen such a display, and I certainly think it must have irritated the other party; if I belonged to the other party I should have been inclined, perhaps, to be irritated; if there was a display of green ribands, others might feel offended, thinking it was meant as an offence to them.

6606. Were not there stones thrown by persons belonging to the college at the procession?—I have heard so, but I was not there myself.

6607. Did you observe any mottoes on the flags?—I did.

6608. Did you see the words "Repeal of the Union" upon one?—I saw none such, I heard it said that there was one that was covered up which had those words, but that in consequence of the wet it became uncovered, but I did not see that myself.

6609. You began your statement 1796, which is nearly 40 years ago, do not you conceive the most peaceable countries, if all the instances of outrage, forming a great many, were collected during 30 or 40 years, that country might be represented as much the reverse of peaceable?—That depends upon the quantity of crime in each country.

6610. Are you not aware of the fact, that there has been a great deal more

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crime of a serious nature in the south of Ireland within the last five years than in the north of Ireland?—I believe there has.

6611. You have heard doubtless in England, about two or three and twenty years ago, of serious riots that took place in London, when Sir Francis Burdett refused to obey the Speaker's warrant?—Yes.

6612. There were 7,000 troops called out and cannon placed in all the squares?—I have heard so.

6613. There were several lives lost. You have heard also, perhaps, of the disturbance at Manchester in Mr. Hunt's time, when there were several persons killed?—I have.

6614. Can you call to mind that during Queen Caroline's trial, troops were obliged to be posted in the streets to enable the Lords to attend in their places in Parliament?—I have heard that troops were placed in the streets to preserve order, but beyond that I cannot say.

6615. You have read doubtless of the disturbance that took place at the time of the same Queen's funeral, when some lives were lost?—I have.

6616. Have you heard in later times of serious disturbances at Derby?—I have.

6617. Can you call to mind any disturbance which has taken place on account of Orange processions within the last 20 years you have mentioned, where the loss of property arising from party feeling was equal to that at Bristol upon the entrance of Sir Charles Wetherell a few years ago?—Certainly not.

6618. Do not you conceive that at any general election which takes place in Great Britain, there are perhaps as many riots and as many outrages as take place in any year from the processions on the 12th of July?—I should think not; the processions of the 12th of July lead to riots that are of a peculiarly malignant character, because they arise from feuds of long standing, and I look upon riots at elections as rather a momentary thing, from the impulse of the moment. With regard to the riots at elections, and the appearance of the public upon those occasions, I never saw more fearful disposition to riot and insubordination than took place at the last election for the county of Armagh. I was present in the morning in the city of Armagh, and I saw a large number of men decorated with orange colours coming in, accompanied by Lord Mandeville's agent and other gentlemen, playing party tunes and having large bludgeons in their hands of a very dangerous description; they filled the whole city and broke open the court-house doors. The honourable member for Armagh, Mr. Dobbin, had just been returned, or was about being returned; they threatened his life: the police were placed upon the table of the court-house in order to preserve him until the return was made, and he was ultimately carried into one of the rooms of the court-house; no man's life in the place was safe that was inimical to the party. I saw several individuals struck and knocked down with those bludgeons, and many windows broken, and I believe the excitation continued for the next three or four days, when 14 or 15 houses belonging to Roman Catholics were burnt not very far from Armagh, and I believe by this very party.

6619. You have stated that Mr. Dobbin's life was threatened, do you state that from your own knowledge?—Not exactly from my own knowledge. I was in the court at the time the mob came in, and the police were placed on the table, and the returning officer and the member were protected, I believe, by the police, till he made the return. Mr. Dobbin was taken into one of the rooms until the return of Colonel Verner and Lord Acheson was made, and Lord Acheson I believe had to leave the court-house by a private door, and get out of the town. I never thought that so many persons could be collected together on such an occasion of so determined a character for mischief.

6620. Did you read in the paper the other day of a very determined outrage committed by the Roman Catholics at Liverpool, crying out, "Ten pounds for the head of an Orangeman;" disturbing the peace of the whole town; knocking down the authorities, injuring several of the police, and displaying a degree of barbarous ferocity perhaps hardly ever equalled in this country?—I read in the papers an account of the affray which took place on the 13th at Liverpool, when a number of persons congregated in Liverpool for the purpose of preventing an Orange procession, and that a serious riot occurred which required the assistance of the constituted authorities to put it down.

6621. Which

6621. Which Orange procession never took place?—Which Orange procession, I believe, never took place.

6622. You do not know that it was even contemplated?—I do not; I passed through Liverpool almost immediately after in my way here; I heard it from some of the inhabitants and read it in the paper.

6623. You say that Lord Mandeville referred in his speech to the Sicilian Vespers, as an illustration of what might be expected by the Protestants of Ireland?—I did not say that; it was read to me by an honourable Member, but I did not state that.

6624. You have heard the particulars of the massacre at Carrickshock?—I have.

6625. You know that the chapel bell was rung preceding that massacre?—I have heard so.

6626. Did not that circumstance, then, suggest the figure to Lord Mandeville which he made use of in his speech?—I think very likely it did.

6627. What is your opinion on the question of repeal?—My opinion at present on the question of repeal is, that it would be highly injurious to the general welfare of the United Empire, and I should not wish to see it; at the same time I say that, under this impression, that provided the British Government or the British Ministers and the United Parliament will do justice to Ireland in redressing the grievances which exist, and pass wholesome laws to protect the people of Ireland, I think it would be highly improper to disturb the Union with Great Britain; but if that were not done, then it would be right in the Irish people to get a Parliament of their own, to get those rights and liberties which they ought to possess, in my mind, equally with the English people.

6628. In your definition of justice, do you comprehend the taking from the revenues of the Established Church and giving a portion of them for purposes of general education or general utility?—I think that the revenues of the Established Church are much disproportioned to the duties the clergy have to perform.

6629. You are aware that a very strong feeling exists on the part of a great portion of the Catholic population for the repeal of the Legislative Union?—I believe there is a very strong feeling upon it, but I believe at present it is checked, in the hope and in the belief that the United Parliament will do them justice, and I am firmly of opinion if that was the case, that question would be for ever put in abeyance.

6630. Are you aware that Dr. M'Hale anticipated, in a letter which he wrote upon the occasion of giving 5*l.* to the O'Connell tribute, that the present Parliament would seal the doom of the Established Church?—I am not.

6631. You never read that letter of his in the Dublin Weekly Register?—I have not.

6632. You perhaps have read his letter to the Bishop of Exeter, in which he says, he hopes that by successive reforms the whole of that mighty nuisance, meaning the church establishment, would be removed?—I have not.

6633. You say, that you do not concur in Doctor M'Hale's definition of justice; you would not wish or expect that the British Parliament should be removed?—With regard to Doctor M'Hale's definition of justice, or any other gentleman's definition of justice, I do not consider it binding on me; I endeavour to judge for myself.

6634. You are aware that the question of repeal only slumbers, and that it is not dropt, except for the present?—I would say that, in my opinion, so far as I can judge, the question of repeal perhaps slumbers in the expectation that justice will be done without resorting to that, and that if the Imperial Parliament will do for Ireland what an Irish Parliament should do if sitting in Dublin, the repeal question will never be agitated again.

6635. An Irish Parliament, sitting in Dublin, would have a Protestant House of Lords, and a House of Commons, of which the majority would be Roman Catholics?—I do not think they would have the majority of the House of Commons Roman Catholics.

6636. They would have a majority of the House of Commons returned by the Roman Catholic interest, would they not?—I should think so.

6637. Do you conceive a Protestant House of Lords, and a House of Commons where the majority were returned by the Roman Catholic interest, could act harmoniously together?—I think if both were disposed to do justice they could.

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6638. Of course it is not at all improbable that with a House of Lords and House of Commons, of which the majority are returned by the Roman Catholic interest, fair justice would not be considered in the same light by a Protestant Irish House of Lords?—I do not exactly know what the Irish House of Lords might do; I do think a great many Lords that come from Ireland here do act with a view more to their own interests in preserving abuses than they do to the general interests of the nation.

6639. Should you consider that if the Protestant establishment were reformed from all existing abuses; if there were to be no sinecures, no pluralities, no non-residents; and if every Protestant clergyman with a stipend of 300*l.* a year and a suitable congregation, performed his duty towards Protestants, and an amicable christian spirit were to be preserved towards Roman Catholics, the maintenance of the establishment could be considered an act of injustice?—Most certainly not.

6640. Do not you conceive the maintenance of such an establishment would be totally hostile to the views and wishes of Doctor M'Hale, according to the sentiments he expressed in his letter to the Bishop of Exeter?—I cannot exactly say from this as to the sentiments of Doctor M'Hale. The clergymen of the Roman Catholic church might perhaps wish to see their own system paramount, believing it to be the correct system; on the other hand, the Protestants might do the same; but in this collision, I would say that my opinion goes to this, that if religion were left to itself to work its way on its own pure principles, the religion that is true, and that is the Gospel, will ultimately succeed, and that none will prevail against it; and that if men would in general let religion alone, and not mix it up with the temporal concerns of the state so much as they do, we should in a very short time see a different state of society.

6641. You think that religion would prosper better without an establishment than with it?—I do not think that religion requires the aid of man to support it, but I think man requires the aid of religion, I mean true religion.

6642. You do not conceive that a set of men, set apart for the service of God, require the aid of men to support them?—I think they should get due protection in the exercise of their functions, and I would aid them by a proper and respectable maintenance, so that they would not be depending on their flocks.

6643. You are favourable to the respectable maintenance of the Protestant Establishment in Ireland?—I am favourable to the respectable maintenance of the Protestant Establishment in Ireland, in so far as that I would give them the means of an efficient and proper support, independent of their flocks.

6644. From the state?—Yes; from the state.

6645. It is your opinion that in the event of the United Parliament not administering to Ireland what the bulk of the Roman Catholic people would deem just, the question of repeal would again be agitated?—I cannot say as to the bulk of the Roman Catholic people; there are a great many liberal Protestants who feel exactly as I feel; the great bulk of the Presbyterian body feel as I have expressed myself, so that I would not rely upon the Roman Catholics solely; but I do think that if justice be not done to the people generally, by such laws as are necessary to redress the grievances which exist, and if the people of Ireland do not receive the protection of the constitution with reference to the administration of justice, and the redress of grievances the people of England receive, and to which they have an equal right, the people of Ireland will resort to measures and will press those measures with a view of getting for themselves that justice which Parliament should give them. I should be extremely sorry to see the Union dissolved, but I do avow, that as an Irishman, if I should find myself abridged in that liberty and protection to which I am entitled in justice, and which Englishmen living under the same constitution enjoy, I would at once join the standard of repeal and endeavour to get that which I consider but common justice.

6646. You are doubtless aware of the fact that the north of Ireland which is the stronghold of Orangeism, has, during the last 30 years enjoyed much more of constitutional liberty than the south, in which during the greater part of that time the privileges of the constitution have been suspended by the Insurrection and Coercion Bill?—Society in the north of Ireland is very different from that in the south; in the north of Ireland manufactures exist to a great degree, the people are better supported, they are in general a more favoured

favoured class in the eye of the landlords; I do not know the south much, but what I know of it comes to this, the poor are not protected, there are no poor laws, they often suffer greatly, and by the pressure and danger of want are driven to outrage; the letting of land by the middle men runs to such an extent that the lower classes are completely enslaved.

6647. Do you conceive that Mr. O'Connell has at all abated in his desire for the repeal of the Union?—I never spoke to Mr. O'Connell three times in my life.

6648. As you are in the habit of reading the Dublin Weekly Register, have you ever read the following passage in the speech delivered by Mr. O'Connell, before the Anti-Tory Association; "I have adjourned what I conceive of much more importance to us as a nation, than as a Catholic I ever considered the Emancipation Bill. I have consented to adjourn the question of Repeal (hear, hear); what has been the talisman of my magic power in Ireland? What is the spell with which I have conjured? Repeal (hear, hear and cheers.) It is repeal which is written in the hearts of all honest and unaffected Irishmen." Do you remember that passage?—I think I have read it, but I cannot draw it particularly to my recollection; I generally read the papers, and I think I have read it or heard of such a passage.

6649. Cannot you understand an Englishman who conceives that union between Great Britain and Ireland is essential to the independence and greatness of his country, who holds dear her institution which unites a great many of the Presbyterians as well as the churchmen in favour of British connexion with Ireland?—No doubt.

6650. You are aware, perhaps, that a great many of the congregations and Presbyterian ministers, who are themselves opposed to the Established Church, are favourable to the union between the two countries, and that the whole body of the Orange Institution are favourable to the connexion between the two countries and to the Established Church?—I believe the Presbyterians are, and that some of them are guided a good deal by this; they are pensioners under the Government, and I believe that induces them very much; I apprehend there are very many of them who would not be so otherwise.

6651. Do you not conceive that the fact that one of the ostensible and declared objects of the Orange institution is to maintain the Established Church, and the connexion between the two countries may be one ingredient in the hostility which the Anti-Tory Association and the leaders of that association bear towards the Orange institution?—I do not know that they feel a hostility on that ground, I cannot say that, but my opinion of the Orange Association is this, that they will be opposed to any thing, no matter what, that the Roman Catholic population wish to have, that they put themselves into direct opposition to them, that they wish to support and retain that ascendancy they have heretofore had, and that any conflict which they come to, or any collision with those people is with a view to promote and tends to promote that system of ascendancy, and to keep that up which they so long have had, and which they wish still to maintain.

6652. You are aware that till within these few years it was considered a principle of Government to encourage the principle of Protestant ascendancy in Ireland?—I believe it was.

6653. Is it not in a great degree excusable on the part of the Protestant population of Ireland who, from the battle of the Boyne till within the last four or five years, have been encouraged by Government to uphold the Protestant ascendancy to feel somewhat sore at the Government taking on a sudden a different line of policy?—I think it is not excusable for a man to do what is wrong in any case, but I think it is a great pity of the lower order of Protestants in Ireland, if they have been encouraged from time to time by persons, to join these associations, and are then left to the effect of them, those persons having now abandoned them, I dare say, for they do not publicly appear at their head.

6654. Do not you conceive the conduct of the Roman Catholics since the passing of the Emancipation Bill, has tended very much to the increase of Orangeism, and are you not aware of the fact, that many persons who stood aloof from that institution have, of late years, joined it in consequence of the designs subsequently avowed by Roman Catholics?—On the contrary; I think after emancipation was granted there was a great disposition in the Roman

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Catholic population to cultivate peace and friendship and civility with their Protestant neighbours, that they bore with great mildness the victory, if I may use the expression, they gained in their emancipation, and that if it had not been for the resuscitation of the Orange system which seemed to have declined about that period, I think we should have had a great deal more peace and more prosperity, particularly in the north of Ireland, than we have had since.

6655. You would hardly class among the peaceable dispositions on the part of the Roman Catholics of Ireland the passive resistance to the legal imposition of tithes, and the consequent necessity on the part of His Majesty's Government to employ large bodies of troops, and the fact that the law at the present moment has been outraged, the power of Government derided, and all the irritating circumstances which have grown out of that state of things, including the murder of several Protestant clergymen?—I would not.

6656. You consider it the duty of all, as subjects, to give a ready and willing obedience to the laws of the land, whatever those laws may be?—Decidedly so.

6657. You have made some remarks on the conduct of Dean Carter; for how many years have you been in a state of difference with Dean Carter?—I cannot say that I have ever been in a state of difference with him at all; he has thought proper when he met me not to speak to me, and if the Committee think proper, I will tell the reason; I am a member of his church; I worship in it; I am on the best possible terms with his curate, who is a highly respected and talented gentleman, and does the duties of his parish most effectively; but Dean Carter several years ago encouraged a system of what I deemed oppression and injustice, with regard to the vestry assessments in his parish, and it refers only to these matters.

6658. Was it in consequence of a dispute about vestry cess?—It was.

6659. You do not feel any rancour or ill-will against him?—I have not the slightest rancour or ill-will against mankind.

6660. You have not been on good terms for somewhere about twenty years, have you?—By no means; this is only four or five years ago; I appealed against one of his vestry assessments; I brought it before the assistant barrister of Armagh and quashed it, and since that he has thought fit not to notice me; I do not dislike the person of the man though I disapprove of his conduct.

6661. You were originally a Roman Catholic?—Yes, to a certain extent I was.

6662. Not many years ago you were in some degree identified with the Orange party, were you not?—No, not with the Orange party.

6663. Did you not act in Colonel Verner's interest?—At the time that Colonel Verner started for the county of Armagh first, in opposition to Mr. Brownlow, I acted for Colonel Verner on that occasion as an agent by employment, and I go farther, my father and I both gave him our votes; Lord Mandeville being our landlord, he or his agent applied to us, and we were not willing to stand against our landlord, we gave one vote to the Honourable Mr. Caulfield, the brother of Lord Charlemont, and the other to Colonel Verner.

6664. Was not there some demur at first, about your being entered an attorney?—There was.

6665. How long have you acted as an attorney?—I was entitled to be admitted in November 1832, and in consequence of that opposition, my admittance was deferred till February 1833; the opposition to me was created by the magistrate of the town, Mr. Lofty, who had a son an attorney residing in the same place; he contrived to bring his charges before the law society of Dublin, who took up the matter, and Mr. Devonshire Jackson and Mr. T. B. Smith acted as counsel to oppose my admission; I was examined before three of the barons of the Exchequer as to those charges, and after every thing had been gone into, the barons admitted me with the greatest possible encomiums, such as I will not now mention.

6666. You mentioned the name of Mr. Woodhouse, a magistrate; are you aware that he is not an Orangeman?—I believe he is not now, but that he was.

6667. What reason have you for believing that he is not now, but that he was?—I have heard him say that he was an Orangeman; he has told me so.

6668. He is not, however, at the present moment?—I believe he is not; that he thinks it is a subject very full of evils to the country, as many others do, and has quitted it.

6669. You

6669. You said something respecting the assistant barrister, Mr. Tickle?—Yes. I would request the Committee to allow me to amend that to a certain extent; I wish merely to remark, that after the time I made the application for liberty to send up the indictment, and before I got it prepared, the grand jury were discharged, but as I was not present when it was discharged, I cannot take upon me to say by whom it was discharged.

6670. Did you not hear that Mr. Tickle not only was not an Orangeman, but was strongly opposed to the Orange system?—I never heard whether he was an Orangeman, but I have always seen in Mr. Tickle, in my mind, a disposition to do impartial justice.

6671. Is it not Mr. Tickle's general character, that he is a gentleman of as high honour and as great impartiality as any member of the legal profession?—It is; I just wish to mention that I applied for liberty to send a bill of indictment to the grand jury, after some discussion the chairman gave me permission, and while it was in the course of preparation the grand jury was discharged, I cannot tell by whom.

6672. You say you were employed by Colonel Verner at his election in 1826?—By him or by his agent.

6673. Was not the conduct of the party opposed to him upon that occasion quite as outrageous as the conduct of Colonel Verner's party was in this last election?—I think there was an outrageous disposition on both sides, after Mr. Brownlow one evening retired from the Court-house to his chambers, a mob assembled opposite them, and I saw stones thrown at Mr. Brownlow, one passed close to his head which must have killed him if it had hit him, this was thrown by the mob from Colonel Verner's.

6674. How do you know they came from Colonel Verner's?—I saw them coming from that quarter, I know they were in his interest.

6675. Did not three bodies come in from Culloville, and were not they armed with bludgeons?—I heard that a large party came from Culloville to support Mr. Brownlow, but I was in the Court-house at the time, I did not know they were armed with bludgeons.

6676. Do you ever hear that the priest denounced Colonel Verner from the altar?—No, I did not.

6677. Do you recollect a dinner took place at Armagh some few weeks after the election of 1826?—I do.

6678. Do you recollect an attack being made on a gentleman's carriage with stones?—No, I do not, I was living nine miles from the place, and was not at the dinner.

6679. Did you know any of the party that you say came from Colonel Verner's?—I did not, nor do I say that Colonel Verner was cognizant of such a thing nor that he knew it, but the mob certainly were outrageous on both sides.

6680. What evidence have you that they came from Colonel Verner's place?—The only thing I can say is, that of the people shouting for Colonel Verner, and groaning Mr. Brownlow.

6681. Do you conceive that everybody that at the election of Armagh votes for Colonel Verner may be said to come from Colonel Verner's place?—No, I should think they are in his interest, when the candidates leave the Court-house in the evening they are surrounded by their friends, and mobs of people go with them. I can take upon me to distinguish some of them as friends to one candidate and some to another.

6682. Irish elections are generally accompanied with incidents of a turbulent character, are they not?—Indeed they are not; the last election at Newry for instance, was as peaceable as could be.

6683. Are you aware that in the south of Ireland it is the constant practice that troops attend the elections?—I have heard so.

6684. Troops would not attend the elections if disturbances were not permitted?—I should think not.

6685. Yesterday in your evidence you mentioned a bonfire which took place at Tanderagee; your statement of that circumstance was, that there was a meeting of women, boys and girls?—It was at a place called Drumnacluntagh, near Tanderagee.

6686. That a meeting of women, boys and girls, both Protestant and Catholic,

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Catholic, were collected at a bonfire, but which had no party reference?—Not to my knowledge or belief.

6687. That a party of Orangemen with drums came by, that seeing the bonfire, they surrounded the field, broke into it, and an affray ensued in which one man was killed and another wounded?—Yes, he was not killed on the spot, but died a few days afterwards.

6688. You state that there was no cause for that except the general disturbance?—Not to my knowledge.

6689. Those people were tried and convicted of riot?—Two persons were, Murphy and Ford.

6690. Had those parties the power of challenging any one on the jury that they pleased?—Yes, there is a right of challenge given in case of felony to the prisoner.

6691. Do you know whether any of the jury were challenged by the prisoner?—I believe there were some of them challenged, but I cannot state how many.

6692. Can you state positively that there were any challenged?—I believe there were, but I cannot state positively.

6693. Were you present?—No, not at the time the jury was empannelled.

6694. Your belief is merely from hearsay?—Yes, the representation of another present; at the time I was absent on other business.

6695. Did your informant tell you that the prisoner challenged the jury?—He said there were some challenges, and I believe there were challenges on the part of the Crown.

6696. You stated that the Crown prosecuted in one case?—They prosecuted in this case.

6697. The prisoners had the power of challenging?—They had.

6698. Did your informant state to you that the prisoners challenged any of the jury?—I think he said that there were some challenges.

6699. Was not that on the part of the Crown?—That there were some on the part of the Crown, I think he said some also on the part of the prisoner, but that I cannot say positively; when I saw him the verdict had been returned, and when I heard what the verdict was, I paid very little attention to what had passed prior to that.

6700. Did you hear any observations on the part of the judge?—I think I heard that in the charge he gave to the jury, he said that every person present on the occasion, though he did not give the wound which occasioned the death, was guilty in the eye of the law with the persons that gave the mortal wound, and that the bent of the observations was to convict the prisoners.

6701. Did you hear any observations he made after the verdict?—I think so; but I think that he said they had been mercifully treated, and if they had been convicted of murder it would have been his duty to have executed them.

6702. Who told you?—The gentleman who was attending for me; if I had been aware of being asked the question I would have been prepared to state it more accurately.

6703. Were you in court when you state that the judge after conviction made the statement you have referred to?—No.

6704. You are persuaded you have given the statement of the meeting just as it occurred?—I am; I examined the witnesses myself, and heard them examined by the Crown solicitor afterwards; I have given all my evidence here as if I had been upon my oath.

6705. At the time of calling out the yeomanry, on the occasion you have referred to, was Dean Carter a magistrate or not?—He was.

[*An Extract from the Evidence of the Witness yesterday was read over.*]

6706. Is that the account you give of the affair connected with the bonfire?—Yes, that is perfectly accurate.

6707. You referred to informations?—I produced informations I was desirous to have taken against other persons than those that had been tried.

6708. You tendered those informations to Dean Carter?—They were tendered.

6709. Did Dean Carter take those informations?—He did not; they were refused.

6710. Did you give them on his rejection to any other magistrate?—No, I believe Mr. Lofty, the magistrate of the town, was absent in England at the time,

time, and I explained to the Committee that it is the etiquette of magistrates that they will not interfere with each other's business.

6711. Do you not think that if other magistrates had been told those informations had been tendered to a magistrate who refused to take them, they would have felt obliged to take them?—I believe they would not, if I had thought they would I would have sent them to another magistrate.

6712. You were asked whether it did not appear on the face of the Dublin Evening Mail report of the great Protestant meeting at Armagh that there were 22 magistrates present?—I believe I was asked that question; I do not recollect that the precise number was stated.

6713. A passage was then read out of one of the speeches made by a gentleman present to this effect, that the Roman Catholics were ready and anxious to seek an opportunity to murder the Protestants?—Yes.

6714. You were understood to state to the Committee that those 22 magistrates who were present when those words were used would not do justice to those Catholics who came before them?—By no means; I only impute those expressions to one individual.

6715. Could the person who made use of that language that the Catholics would, as they had always done whenever an opportunity and the power offered, massacre their Protestant fellow-countrymen, be expected to do justice to the Catholics?—I should say, if I was a Catholic, I certainly would not believe he would me justice; I would not rely on any gentleman who used such language.

6716. Would those who would approve of or express their participation in such sentiments, as magistrates, be expected to do justice, or would Catholics expect they would do justice to them?—I should not rely upon them to do justice if they participated in or held the same sentiments.

6717. You are a professional gentleman?—I am.

6718. The purport of your evidence respecting the affair about the bonfire was, that there was a bonfire in the field, that parties were round that bonfire, that another body of persons came up and broke into the field, that an affray ensued and death was the consequence?—Yes, precisely, and several others were wounded.

6719. Upon your professional character do you mean to say any jury could find a person guilty of murder on an affray of that kind?—I think they could, and I think they ought.

6720. On what grounds?—If a number of persons go and commit an outrage of that description wantonly and without provocation, if they go prepared with deadly weapons and make an attack on any number of His Majesty's subjects who are peaceably conducting themselves, and a murder is committed (I will call it a homicide if you please) or death ensues, I think in the eye of the law it is murder.

6721. You are not stating the fact as it occurred, an affray occurred, and in the course of that a death ensued?—I say the affray took place on the other side, for one party were in their own field, and were peaceably conducting themselves, the other persons had no business there except for the purpose of attack; they came there for the purpose of attack and were armed with deadly weapons; a man was stabbed to death, the son of a widow; I say I am of opinion that it was a clear case of murder, I may be in error, I am not very learned in the law, but that is my conviction.

6722. You are not aware whether the judge at the conclusion of that trial expressed his perfect satisfaction with the verdict of the jury?—I am not of my own knowledge.

6723. If the judge did express that opinion, you are of opinion probably that his notion of law is better than your own?—Of course I am; I would not presume to put my judgment in competition with the judge, it is not the office of an attorney to know so much of law as the judge does.

6724. You were asked whether you knew that the judge expressed his approbation of the verdict, and you said not of your own knowledge, did you ever hear that?—Not that I heard; I heard that he was very indignant at the conduct of the party.

6725. The jury found them guilty of riot?—Yes, and the man who struck the owner of the field guilty of an assault, that is on my brief, I have it in town.

 6726. There

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6726. There were women and boys present?—Yes, and at a considerable distance from the highway.

6727. Were any of the party amusing themselves there armed?—No.

6728. Were they mostly Catholics?—I believe the majority of them were.

6729. In reference to that part of your evidence which related to the conduct of the party who you state were in Colonel Verner's interest at the election of 1826, do you mean to make any remark at all implicating Colonel Verner on the evidence you gave?—I do not.

Veneris, 24° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Mr. *Richardson Bell*, called in; and Examined.

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6730. WHERE do you reside?—I reside at Killymuddy, near Dungannon, in the county of Tyrone.

6731. What is your occupation?—I farm and graze a tract of ground, and other occupations, such as agencies, and the like.

6732. What is your religious persuasion?—A Presbyterian.

6733. Has Orangeism prevailed to a considerable extent in your part of the country?—It has.

6734. What have been its practical effects upon the state of the country?—The Orange processions, about the time of November and July, generally give great offence to their Catholic neighbours, and there appears to be a great dislike shown by both parties to each other for some time afterwards.

6735. Is that a Catholic neighbourhood or Orange?—Pretty well mixed; there are more Catholics, I think, than Protestants and Presbyterians.

6736. Do you recollect a man being tried at the Armagh Assizes for murder in 1827?—I was not at home, but I heard all about it, and know the particulars.

6737. How do you know the particulars?—I was on the jury at the coroner's inquest, and I know the man who was murdered; George Richey was charged with the murder.

6738. Who was the man murdered?—Thomas M'Crory.

6739. When and where?—He was murdered in 1827, near to Castle Caulfield; it was very nigh to my house; he lived within a quarter of a mile of my house; the coroner breakfasted with me, and asked me to go with him, accordingly I did so.

6740. What was the verdict at that coroner's inquest?—That he came to his death by the blow of a spade shaft; that his skull was broken.

6741. Was it said by whom?—It was mentioned; I gave a hint that it was better not to say any thing about the names of individuals at the time. Richey was accused of the murder; he had left the place.

6742. Did you know Richey to be connected with the Orange Association?—Yes, I did; I never was an Orangeman, therefore I would not be in their secrets; but it never was denied, and it was understood, and confidently, that he was an Orangeman, and I had seen a parcel of Orangemen on the road one night, crying out a kind of watch-word they had, "Colonel Verner," and this man was said by the men in company with him to be Richey; an Orangeman told me that; I knew there that Richey was there on the road with him.

6743. You say you believe Richey to have been an Orangeman?—Yes.

6744. Did you ever see him appear in an Orange procession, or dressed as an Orangeman?—I cannot say that I did.

6745. Upon what do you ground your opinion that he was an Orangeman?—I heard it from different Orangemen, and it was admitted by the friends on different occasions that he was an Orangeman.

6746. Have you the least doubt that he was an Orangeman?—Not the slightest; I am confident that he was an Orangeman.

6747. Was Richey tried for this murder?—He was, and convicted, and executed.

6748. Did

6748. Did you ever hear that there had been an effort to obtain from a clergyman a character for Richey, with a view to save his life?—I did.

6749. What clergyman?—Mr. Brydge; he was and is my clergyman.

6750. Is he a Presbyterian clergyman?—He is a seceder; a member of the Presbyterian Synod of Ulster.

6751. What is the name of his congregation?—Castle Caulfield.

6752. Did he refuse to give that character?—He did refuse; but I understood he first gave a character to the young man, supposing he was leaving the country, and then they came with a written character, requesting him to sign it, stating his innocence, and he said, no; I thought the young man was going out of the country at the time I gave you the character, and I have reason to believe now that he is not innocent, therefore I cannot give you the character by any means.

6753. According to your evidence the Rev. Mr. Brydge refused to give a character to be used in a court of justice for this person?—He did.

6754. He had given a character, prior to that, with a view to his leaving the country?—Yes; at the time when perhaps he did not know that he was guilty.

6755. Did the Orangemen attack, in any manner, the Rev. Mr. Brydge for refusing to give that character in favour of Richey?—After the execution of Richey I went to the meeting-house to sermon; I had not been at home, I had come from Dublin by Dungannon on the night before; on going to the meeting-house I did not know Mr. Brydge was not to be there, but there was a young man sent there as a probationer; they raised a great cry against Mr. Brydge, I said I was very sorry for it, but it would have been much worse to have executed Richey without a fair trial; that they were going to destroy Mr. Brydge without hearing his defence; I said I hoped they would hear his defence before they convicted him, that there was no man more ready to oppose him than I would be if there was any thing improper to be attached to his character.

6756. What do you mean by any thing attached to his character?—Such as his deceiving a hearer, or not doing that which is proper; they said that he had the blood of this man upon him, that he had sold this man.

6757. Their ground of complaint was that he had refused to give evidence on the part of Richey?—Yes.

6758. Will you state what occurred?—Then those people cried out in the most violent manner, that they would away with, that they would not suffer him to be there.

6759. Where was this?—On the green, inside the wall of the green of the meeting-house.

6760. In the field on which the Presbyterian meeting-house stands?—Yes.

6761. State what occurred?—They would not allow the young man who was sent there to preach to go in at all, and after I remonstrated with them, and said all I could to persuade them that they were acting wrong; some of the congregation said it was dangerous to go in; I said I came there with a proper view and should not go from the place until I had been in the place of worship; that if the clergyman thought fit he might go in too; I certainly thought it dangerous, we went in and those people endeavoured to intimidate us as much as possible by coming to the doors and windows, and annoying us during public worship, so that they went off.

6762. Were those persons strangers to you?—Great numbers of them were; I know some of them.

6763. Those whom you did know who took his, Richey's part, were they professed Orangemen?—They professed it themselves; they said that Richey was an Orangeman, and that Mr. Brydge forsook him.

6764. Did they wear on that day any decorations or emblems, as Orangemen?—Not on that day; on the Sunday following they did.

6765. What more occurred on that day?—I cannot at present say, there was a great deal occurred which I do not suppose is material; I got home as soon as I could, I thought the sooner the better, for they were very violent.

6766. Was service celebrated that day?—It was in the manner I state, with annoyance.

6767. Was there any one connected with the man who had been convicted and executed of the party?—There were connexions of his there.

6768. Was his brother-in-law there?—I do not recollect seeing him there; if I did it was on that day week they appeared again.

 6769. Were

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6769. Were they decorated?—They were in great numbers.

6770. What might be the number of the party?—I suppose there were several hundreds, and mostly strangers.

6771. Did you know any of the party that were thus decorated take a part on the occasion?—I did; I did not take down their names, but I knew a great number of them.

6772. Of those who came on the second day, many of whom you say were decorated, were any whom you knew amongst them Orangemen, or decorated on the occasion?—I am perfectly sure there were.

6773. Did you perceive, as far as you could form an opinion, any but Orangemen taking an active part on the occasion?—Yes; I think there were some of the connexions of Richey, the man that was executed.

6774. What occurred afterwards on the second day?—Mr. Brydge, the clergyman, got into the meeting-house with great difficulty.

6775. Were you accompanying Mr. Brydge?—I was not with him in the place, but I was there on the spot and saw him there, and such was the violence of the party and the threats held out, that I was in great fear of my life, and went out to get a magistrate to come and remonstrate with them as to the folly of their conduct; Mr. Brown came with me to the place, and spoke to those parties as a magistrate.

6776. To the Orangemen?—Yes, and to those who joined them, there were women and little boys, and they were all very desperate, and some of them throwing stones; there was an old castle, and they got into that, the great dread was fire-arms being used by them.

6777. Did you see any arms amongst them?—I do not recollect seeing arms, but I heard afterwards and had reason to believe there were arms among them.

6778. If they had those arms, they must have been concealed?—They might have had any arms within side of the castle for any thing I saw.

6779. You did not see any arms that day?—No.

6780. What reason had you to suppose they had arms in the castle?—From the information I got afterwards, that there were persons brought there to assassinate Mr. Brydge; I got that from some of the connexions.

6781. Some of the connexions of whom?—The connexions of Richey.

6782. Did they attack Mr. Brydge himself?—They threatened him; they came into the meeting-house yelling and shouting and threatening him, when he was in the pulpit, and ordered him from it, and he remonstrated with them, and begged of them to hear him in his own defence, and if they did that he was certain they would all give him credit for what he had done; for that he had acted conscientiously, that he was afraid of doing harm to the young man, and they would not hear him.

6783. Why was he afraid of doing harm to the young man?—He was afraid of doing harm by giving him a bad character instead of a good one; he got leave from the attorney to leave town, he gave him leave, and would not produce him; he told me in Doctor Maclane's afterwards, in the shop, that that was so.

6784. The only charge brought by the Orangemen against the Rev. Mr. Brydge was that he had declined giving a character to Richey, on his trial?—It was.

6785. Mr. Brydge, in his defence, said if he was produced he probably would have been obliged to give him a bad one?—That was his own declaration; the attorney told me so.

6786. Mr. Brydge, in the pulpit, urged that as the only reason for his refusing to give a character to a person unworthy of it, and did so on all occasions?—He did.

6787. What was the character of Mr. Brydge before?—His character stood high with his congregation.

6788. Had he any misunderstanding with his congregation before that?—Not any.

6789. How long before that had he been minister of the parish?—I dare say nearly 30 years, and was my clergyman.

6790. You never heard, up to that period, that there was any complaint brought forward against him on the part of his parishioners?—It never appeared before the trial. I knew they carried it before the visitation Presbytery; a

few

few of the clergymen visited the congregations, and there were no charges brought against Mr. Brydge till the trial.

6791. It is the custom in your parish for persons deputed by the synod, called a Presbytery, to visit the congregations?—It is.

6792. If any person has a charge against the minister he is at liberty to make it?—Yes.

6793. No charge was ever made against him?—There were some clergymen made some charge of his being concerned as agent in tithes.—It was brought before the synod, and they acquitted him of it, and allowed him to continue on for a number of years, but they made a handle of it after that; that was the only charge I could ever hear against him before that time.

6794. There could be no complaint against his collecting tithes?—That was the most disgraceful thing that could be brought against him. One clergyman should not be a servant to another.

6795. Have you fully related what occurred on the second day?—No, not fully.

6796. State all the important circumstances of that day?—I went so far as my going for a magistrate; he came and remonstrated with the people, and they would not attend to him by any means. They said, "away with him," they said they would not suffer him there; that they would have neither trial nor any thing else; but put him away, in consequence of his not supporting this man: then after leaving the place they were likely to trample us down, Mr. Brydge and his friends, but we escaped on that day. I suppose I need not take up the time of the Committee in stating a number of particulars that I cannot be precise about, but the rage of the Orange party was such that we could not stand before them at all, nor could we be heard. When Mr. Brydge called a meeting of the Presbytery, the only authorized body to investigate the matter which was complained of, they pulled down several seats in the meeting-house, and destroyed part of the pulpit and windows. There were clergymen of the Established Church attended and took a part in it; the rector attended.

6797. That circumstance of which you are now speaking took place after the transaction to which you have before adverted?—Yes, some time after.

6798. Was there a meeting of the Presbytery called?—There was; there was a third day, and there was a great number of Orangemen came there with their colours, and some of them with flags and their colours up, to show themselves as Orange bodies. They came from different parts in procession.

6799. There was a meeting of the Presbytery after the sabbath?—It was subsequent to the third day I have mentioned.

6800. At what place?—At Castle Caulfield.

6801. At what period of time after the second meeting was the third?—It was eight days.

6802. The first day was the first Sunday after the execution on the second? Yes, on that day fortnight was the third; there was a great number of men came there in procession; Orangemen.

6803. Came where?—To the meeting-house, and stood opposite the gate.

6804. Was there a meeting called by public notice of the Presbytery?—There was, but that was subsequent.

6805. What number of Orangemen were there?—There were above 1,000, I calculated so at the time.

6806. Was there a meeting called?—There was not a meeting called on that day; I will give the transactions of that day in a word or two. I went to the meeting as usual, and the gates were shut, and there were men with red coats, as well as my memory serves me; I think they had arms.

6807. Were they yeomanry?—I think they were yeomanry coats.

6808. You believe that those red coats were yeomanry coats?—Yes; and there was a man of that description, whom I understood to be brought there to assassinate Mr. Brydge. We could not get into the meeting-house at all; the party were very violent; the pretext was their going to church that day. The church was very convenient to the meeting-house, but the church people were coming out before I went away, and there were very few went to church.

6809. Were they decorated?—They were a number of them.

6810. Had they music with them?—I think they had, I know they had flags.

6811. You are not sure whether they had music?—No, I am not.

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6812. Do you recollect the day of the execution?—It was in August 1827, or the beginning of September; I cannot say to a day.

6813. By red coats you mean red uniforms?—Yes, it was part of their dress; there was a big coat over some of them.

6814. Had you seen the yeomanry in their dress before?—Yes.

6815. Was it the same sort of dress that the yeomanry are in the habit of wearing?—I saw one coat in particular that was a yeomanry coat, and the man had coiled his coat round him, and I think he had something concealed.

6816. Did you see any arms that day?—I did not see any.

6817. Did you learn from any, and what source, that they were armed on that day, or that arms were in the neighbourhood for the purpose of being used?—Yes; and they threw stones at Mr. Brydge going home.

6818. Did they injure him?—No, I believe he escaped very narrowly; I was not on the spot, but a person who was with him told me of it.

6819. Do you mean to say you were not present at the transactions you are now speaking of?—I was not.

6820. You say you saw a great part of this transaction?—I did at the time at the meeting-house, when they attempted to trample us down, and even my own heels were trampled; but for Mr. Irwin, the master of one of the Orange Lodges, I think we should scarcely have got away with our lives; I think we narrowly escaped.

6821. Do you mean Mr. Brydge and yourself?—Yes; and our friends belonging to the congregation.

6822. The question is, how far the Orangemen had to do with it?—It was that party that committed those outrages, and that made those attacks on Mr. Brydge.

6823. On the third Sunday after the execution of Richey, you were present at the meeting-house, where a large body of Orangemen assembled, decorated with the badges of their society, you saw those Orangemen commit various acts of outrage round the meeting-house; they expressed their execration of the conduct of Mr. Brydge, they threatened him; he was obliged to fly, and he narrowly escaped with his life, is not that the effect of your evidence?—It is, and nothing else; the meeting we are speaking of was prior to the Presbytery.

6824. State what occurred about the meeting of the Presbytery?—The Presbytery met at Mr. Brydge's request.

6825. Do you mean to say that the place of worship was closed against Mr. Brydge?—It was, by violence.

6826. By Orangemen, who assembled on the occasion?—It was, by them.

6827. You said there was part of this transaction on the third Sunday, at which you were not present, what part of the transaction?—Merely their throwing a stone at Mr. Brydge on his way home.

6828. When did the Presbytery meet?—Some time after.

6829. Was it in the month of September?—I think it was; he was kept out of the house, and the key-holes were filled with stones; on the third Sunday the place was barricaded, he never got into the gates at all after the third Sunday.

6830. On the third Sunday when you were witness to the transactions you have just detailed, the Orangemen locked the meeting-house and refused to allow the Reverend Mr. Brydge to officiate any longer?—They did, and the gates; we could not get inside.

6831. In consequence of the exclusion of that clergyman of the Presbyterian Church, a meeting of the Presbytery was called?—Yes.

6832. Where was it called?—At Castle Caulfield, at the meeting-house.

6833. At the meeting-house of the Reverend Mr. Brydge?—Yes.

6834. Were you present?—Yes; that was when the seats and pulpit were destroyed by this violent party.

6835. Who convened this meeting of the Presbytery?—The moderator of the Presbytery.

6836. The proper officer?—Yes; the person having the authority from the synod, the only source from which it could be done.

6837. What was the object of the meeting?—The object of the meeting was to call the Presbytery, that they might see Mr. Brydge was persecuted.

6838. Who was it called upon the moderator to convene this meeting, did it come from himself, or was there a requisition on the part of some of the parishioners

ioners to call it?—It was on the part of Mr. Brydge and some of his friends, it was called with his consent.

6839. Did they sign the application to the proper officer to call that meeting?—Yes.

6840. Those who approved of his conduct and himself?—Yes.

6841. Was that meeting numerously attended?—It was very.

6842. What was the appearance of that meeting?—It was very numerous and violent.

6843. Did the Orangemen appear at that meeting?—They did, the same party always on each occasion came forward.

6844. Did they wear decorations or colours on that day?—I do not think they did on that day.

6845. Did any of the persons who took a very active part before decorated as Orangemen attend at the Presbytery though without those emblems?—Numbers of them did.

6846. Numbers of the same persons?—Yes.

6847. They had not those colours or emblems?—No, they might have, but I did not see them.

6848. You stated that there were on the first, and second, and third days a number of women and children, were there a great number of men also?—Yes, they were mostly men.

6849. What number might have been at the meeting called by the functionary of the institution?—I was inside of the house, and there were as many as the house could contain standing and on the tops of the seats.

6850. How many might it contain?—Three or four hundred perhaps.

6851. Were there many outside who could not obtain admission?—I believe there were, but I could not get out conveniently.

6852. Who was in the chair?—I do not call to my recollection.

6853. How many of the Presbytery attended?—I dare say there were eight or ten, there might be more or less.

6854. Of how many does the Presbytery consist, or did it then consist?—I suppose about a dozen persons.

6855. Were there eight or ten of those at the meeting?—Yes, I think there were.

6856. What was the description of persons who took a part for Mr. Brydge, were they respectable persons?—Yes, they were what I call respectable, though I am one myself. I say they were the people that built that house with Mr. Brydge's assistance principally, the principal persons who assisted in building the house and supporting the place.

6857. Were there other persons who were there supporters of Mr. Brydge?—There were a number who said they were willing to support Mr. Brydge, but they were afraid of this party.

6858. Were they respectable persons?—Yes, they were respectable, but they accounted for it in that way.

6859. Do you mean to say they were more respectable than those who supported him there?—No, I do not.

6860. How was that meeting conducted, was it peaceably and rationally, or with great violence and outrage?—Screaming and shouting.

6861. Was there any charge preferred against Mr. Brydge, or did Mr. Brydge go at once into his defence?—There were charges brought immediately before the Presbytery in the shape of a petition.

6862. By whom?—By his opponents in the congregation and many others.

6863. What was the charge preferred against him?—The charge was that he had deceived George Richey.

6864. Were there a number of persons there who did not belong to the congregation?—Yes, a tenth part was not of the congregation, nor a twentieth part.

6865. Were they deemed, or did they avow themselves as Orangemen?—I really considered it so well confirmed by every thing that passed that I never entertained a doubt upon the subject.

6866. From what part of the country did they come?—From every part around, they were warned to come and invited on the third Sabbath to come and hear a sermon from the Rev. Mr. Carpendale, and Mr. Carpendale

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was very active in coming forward at that meeting of the Presbytery; I had never seen the case before.

6867. Is he in the Presbytery?—No, but he is the rector of that parish, and has a church convenient to the meeting-house, and he and his curate were very actively assisting this violent party opposed to Mr. Brydge.

6868. Did a rector of the Established Church, accompanied by his curate, attend this meeting of the Presbytery to investigate the conduct of the Rev. Mr. Brydge?—He did, and his curate.

6869. What part did they take in that meeting?—They took this part that they went from the violent party on the side of some of the ministers opposed to Mr. Brydge, and influenced them as much as possible, they appeared to come from one to another and appeared to have all the control over this violent party.

6870. Who did?—Mr. Carpendale the rector.

6871. The rector of the parish and the curate used their utmost efforts to prejudice the interest of Mr. Brydge with the persons who were deputed as a Presbytery to try him?—I could not hear the words which passed between them, but it appeared to me from what I saw and did hear, they procured a letter from the clergymen that attended the gaol, the chaplain, on that subject, showing the innocence of Richey.

6872. Who procured that?—Mr. Carpendale and his curate were very active upon the occasion, whispering and going from one to another.

6873. Did you ever perceive whether Mr. Carpendale or any of the Protestant clergy took a part in the internal concerns of the Presbyterian congregation before?—Never.

6874. Did they contribute to the building of the chapel?—Some clergymen might, but they did not.

6875. The greater part of them were utter strangers to the parish?—Yes, they were so far as I know.

6876. Did you ever hear of the persons who you say were perfect strangers to you, having contributed towards that place of worship?—I believe they were not of that description that would subscribe much to any place of worship.

6877. Were they of a low description?—They were all of a low description.

6878. You describe their conduct as exceedingly violent and outrageous?—Very much so.

6879. Did Mr. Carpendale, the rector of the parish, and his curate do anything to moderate that violence or to foment it?—They seemed rather to enjoy it, they seemed by their countenance and appearance as though they enjoyed it from the active part they took, and that no person would be heard on Mr. Brydge's behalf with their consent.

6880. Was not the charge preferred against Mr. Brydge founded upon his refusing to give evidence in favour of Richey?—Nothing else.

6881. What was the charge against him?—Deceiving George Richey, promising him a character and not giving him one.

6882. Had he not given a character with a view to his leaving the country?—He had.

6883. Did he after giving that character learn facts that convinced him of the guilt of Richey if he had a doubt of it before?—From the evidence produced by Mr. Brydge, and from what Mr. Brydge told me of his anxiety to get this man off, because, as they said, he was innocent, but the mother stated that he was innocent, and yet she told him, Mr. Brydge, of two of the murderers, and that there were three persons concerned in the murder, but refused to tell the third person. Mr. Brydge said to the mother, why do not you tell the third person, says she, I will after there is money got from the Orangemen, they would raise money and when that was got this was the answer; it is very usual raising subscriptions in this kind of way.

6884. Do you mean very usual among the Orangemen?—Yes, I know many instances of it.

6885. To defend persons charged with crimes?—Yes; he said my advice to you will be to tell the third person, she made this reply, and this was proved again, that when they got money from the Orangemen that they would then tell the third person, and would have the person arrested which was not done.

6886. Did she name two persons?—Yes, and kept the third back.

6887. Two of the persons who had committed an offence of murder?—Yes.

6888. Those

6888. Those were the circumstances which induced Mr. Brydge to withhold the character which he had originally promised to give to Richey?—I am conscious it was nothing else, I am convinced of it.

6889. Was it the impression on the mind of Mr. Brydge, that the mother concealed the name of the third party because her son was the third party?—He suspected so I believe firmly.

6890. Was that the reason he was induced to refuse any character?—He gave that to me as the reason, that if he went forward and gave him a character he should be sworn, and that he should appear very awkward in the face of the country to take the book in his hand when he could not swear to that which they wanted Mr. Brydge to certify, to certify the man was innocent.

6891. He had given a certificate with a view to the man's leaving the country?—Yes.

6892. Did he urge the mother to get the son to leave the country?—He did, and the relations of the young man also.

6893. With that view he did give a character to this young man?—Yes.

6894. They then called upon him to give another specific character, which he refused to do?—Yes, they had it written for him to sign, stating that he knew him to be innocent.

6895. That he refused to sign?—Yes.

6896. Was the first a general character?—Yes; I think the murder was discussed again and again, and this was all acknowledged, and that they could not deny it; the proof of it exactly came out on the evidence on the trial.

6897. At this meeting of the Presbytery, Mr. Brydge was charged by the Orangemen with not having given a character to Richey?—Yes.

6898. What defence did Mr. Brydge make?—His defence was, that the young man was not such a man that he should come forward and swear for him.

6899. Did he not say that his testimony would do him more injury than good?—Yes, and his attorney told him so too.

6900. Did Mr. Brydge say, in vindication of not giving a character to this man, that his testimony would do him more harm than good?—He did.

6901. Did you hear Mr. Brydge state that himself?—Yes, I did.

6902. What did the Orangemen do when he made his defence?—They yelled, and shouted, and screamed, and hardly any person could hear any evidence he produced. I got up to state what I had been told from the attorney but I was put down; the attorney said, my dear fellow, I have stated the same thing, but they would not let me be heard.

6903. Was the attorney produced against Mr. Brydge?—He was.

6904. What did he state?—He stated that Mr. Brydge should have been there; I said, "Sir, you told me in Dr. M'Lean's shop that you could not produce him, and was very sorry for Mr. Brydge;" it was in the presence of Dr. M'Lean, then I was put down, and not permitted to be heard at all; I do not think the attorney was sworn.

6905. Where?—At that meeting as an evidence.

6906. Were the witnesses at this meeting of the Presbytery sworn?—Yes.

6907. Who swore them?—The moderator; and there was a magistrate there.

6908. Who was the magistrate?—Mr. Brown; but they swore by lifting up their hand.

6909. The attorney was not sworn, as you think?—I think he was not.

6910. Were you sworn?—I could not be heard at all.

6911. They would not allow you to be tendered as a witness?—I thought I should have been murdered; I still endeavoured to speak my mind conscientiously, fearless of man; but however I was put down.

6912. How did it all end; did the Presbytery acquit?—The Presbytery came to this conclusion, that Mr. Brydge must give up his agency for tithes; and I recommended him to give it up; and he said it would be looked upon as if he was guilty of the other offence; he was acquitted of the other offence; they could prove nothing against him; they acquitted him of that charge.

6913. Was that the resolution they adopted?—Yes.

6914. They acquitted him of the charge of deceiving Richey?—Yes, they did.

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6915. The Presbytery acquitted him of any improper conduct with respect to Richey?—Yes; but he would not give up the tithe agencies.

6916. At this meeting there must have been another charge preferred against Mr. Brydge in reference to his being a tithe proctor?—Yes, when the other was given up, then they brought that charge and coupled the two together.

6917. Was there any notice served on Mr. Brydge that this second charge would be brought against him?—I think there was; I think it could not have been heard otherwise, and I was present.

6918. It appears that the Orangemen are not themselves fond of paying tithes?—In my neighbourhood, with the exception of a few, they are very unwilling to pay tithes, as much so as Presbyterians in general.

6919. Did any body refuse to give a character to Richey on this occasion; any respectable gentleman in the neighbourhood?—A magistrate of the county, I have reason to believe, had been in the court house.

6920. What is his name?—Mr. Brown, the then agent of the property, he declined to give him a character; Mr. Brydge was permitted, in consequence of the consent of the attorney, to go home, as I heard.

6921. What property is Mr. Brown agent for?—The very property on which Richey's father lived, nigh to his own house.

6922. You understood he refused to give a character to Richey when called upon to do so?—Yes.

6923. Is Mr. Brydge a tithe proctor to this day?—No, he gave it up.

6924. When the Presbytery decided on the point against him, he gave it up?—He was sent back to his meeting-house.

6925. When the Presbytery had decided that though Mr. Brydge was not censurable for not having given evidence with respect to Richey, he should give up the collection of tithes; did Mr. Brydge agree to give up that collection?—He did.

6926. He obeyed the order of the synod?—He did in all things.

6927. Was he then restored to his functions as a Presbyterian clergyman?—He was.

6928. By the orders of the Presbytery?—Yes, and by the synod.

6929. Did the Orangemen allow him to officiate in those functions?—They did not; they refused him in all places.

6930. So that, notwithstanding his restoration as clergyman, the Orangemen would not allow him to officiate?—No, they would not; they put him out of his meeting-house, and would not let him in at all.

6931. Will you state the particulars of the murder; was it a party feud, or a murder committed in cold blood?—It was in cold blood; the man was sitting on his car coming home from market; he was a butcher.

6932. He was attacked by Richey, and murdered?—He was attacked by those three persons that were charged. I was not on the trial, but I was on the inquest.

6933. Who accompanied him when he was on the car?—His daughter and his wife.

6934. Did they give evidence against Richey?—They did.

6935. This clergyman, Mr. Brydge, for the reasons you have stated, to get him out of the country, had given him a good character?—Yes, he had.

6936. He was then applied to to give another character in court?—Yes, stating his innocence; it was brought to him in writing to sign it.

6937. He refused to do that?—He did.

6938. He gave the first character, knowing that the man was accused of murder?—He heard so.

6939. It was with a view to get him out of the country?—Yes.

6940. The party who attacked Mr. Brydge were not exclusively Orangemen, but with other parties?—There were a few of the immediate connexions of Richey with them,

6941. You have stated that there were other persons, neighbours of Richey's who assisted his connexions?—I think there were a great many that might assist as Orangemen.

6942. Who did assist in the disturbance that took place against Mr. Brydge?—Certainly; there were strangers brought there, and a great disturbance created by them,

6943. It was your opinion that other neighbours besides the immediate connexions

connexions of Richey, might take a part in this disturbance?—They might certainly.

6944. Is that your opinion?—I think, indeed there were very few that would like to have done so, there were a great many people afraid to speak a word for Mr. Brydge.

6945. There were, in this disturbance in your opinion, neighbours of Richey's as well as connexions of his?—There must have been some neighbours; curiosity would bring some of course there if it was nothing else.

6946. You say the connexions of Richey did take part?—I did experience opposition from them in these meetings. I suppose, and I am conscious it was the faction of Orangemen that caused the whole of it.

6947. Is it your opinion there were neighbours as well as connexions of Richey's there?—I am conscious there were; it was very near the meeting-house he had lived.

6948. Is it your opinion, that in a case of that kind, a very strong prejudice would not be created on the minds of persons of the lower classes, when a clergyman had consented to give a man a character with a view to getting him out of the country, knowing him to be guilty of murder, but then refused to give him a character on his trial, was not that enough to excite the feelings of every right thinking man?—I think it is not in such a case as this; where a clergyman is charged he ought to be heard in his own defence.

6949. You say that Mr. Brydge was not heard in his own defence, but the feeling of parties was that he had given the young man a character with a view to getting him out of the country, but would not give him a character in a court of justice?—I say that report was the only report they could have, they had no proof in the world to convict Mr. Brydge.

6950. Was it not the belief, however erroneous it might be, of the persons who made the attack, that Mr. Brydge had promised a character to this man with a view to getting him out of the country, but would not give him a character in a court of justice?—I think it very unjust to give an opinion against a clergyman, only on bare report.

6951. Do not you know that Mr. Brydge, for some reason or other, has been dismissed the congregation altogether?—No, he is not dismissed at all; he was acquitted of all the charges, but he was violently turned out of his meeting-house, and was driven to look for a place for him and his people, that were in his interest. This party had circulated such reports, and had entered into such combinations, that the clergymen of the body of Presbyterians dare not support him.

6952. Is Mr. Brydge at this moment an officiating Presbyterian clergyman?—He is officiating, and has a right to do so.

6953. At this moment is not Mr. Brydge a minister of the Presbyterian church of Ireland, and does he not perform service in that capacity?—He does.

6954. He is not suspended?—He is not.

6955. Do you state, or did you intend to state, that Mr. Brydge had ever promised a character of innocence as to this charge to Richey, or the friends of Richey for him?—I am conscious he would not do such a thing.

6956. Did he do so?—He did not do so.

6957. You stated that Mr. Brydge gave a general character to Richey?—He did when he thought he was going to America; but he gave himself up afterwards.

6958. You have stated that at that time he had a suspicion of his guilt?—I did.

6959. When did the opinion of Mr. Brydge as to the guilt of Richey first strike him?—I think it was, and I am conscious from the reasons he gave me, it was when they told him that they knew the men who murdered M'Crory.

6960. Who told him that?—The mother; the parents and friends told again and again that to Mr. Brydge, but would not tell the name of the third, but said they would tell that after they got the money from the Orangemen to support the defence.

6961. Was that done lest the name would be known?—Yes.

6962. When you heard that, do you believe he had any doubt whatever of the guilt of Richey?—Not the slightest; they wanted him to certify that he was

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innocent; they brought him certificates, (two of them duplicates), and they tendered them to him to sign, and he refused it; that appeared in evidence.

6963. When the mother, the relatives and the friends of Richey called upon him to sign certificates of his innocence as to the crime of murder, in the course of conversation, stating that two of the murderers were known, and that the third was known, but they would not mention his name, but that would come out afterwards; that was the conversation that convinced Mr. Brydge of the guilt of Richey?—It was the principal thing; but there were other matters beside that.

6964. They wanted from him a character of innocence as to that crime?—Yes.

6965. That he refused to give?—He said he could not swear it, that if he were brought forward he should do them more harm than good.

6966. You heard him state that positively?—I did, and it was admitted on the other side.

6967. That appeared in court and was never contradicted?—It never was.

6968. Mr. Brydge had given Richey a general character for good conduct when Richey was about to leave Ireland for America?—A few days after the murder.

6969. At the time that Mr. Brydge gave this character to Richey, Mr. Brydge did not suspect Richey to be guilty of the murder?—I have no reason to believe that he did.

6970. Richey, instead of going to America, surrendered himself?—He did.

6971. And after he had surrendered himself, circumstances came to the knowledge of Mr. Brydge which induced him to change his opinion, and on being applied to, not for a general character, but for a specific declaration by Mr. Brydge that Richey was innocent of the offence with which he was charged, Mr. Bridge declined to give that statement, and refused to go into court, because in his own opinion, and in the opinion of Richey's own attorney, his evidence would have been prejudicial to him, is that the fact?—That is the real fact.

6972. Were not some of those who were masters of Orange Lodges put out of their Orange Lodge for their attachment to Mr. Brydge?—I heard them give evidence to that effect.

6973. Where was that evidence given?—It was at Armagh; it was a master of an Orange Lodge; he was put out and there was immense enmity.

6974. What was his name?—Hagan.

6975. Have there been several masters of Orange Lodges put out of their lodges because they adhered to Mr. Brydge?—Yes.

6976. That was in 1827?—No; I think in the year 1828 or 1829, it was going on for a considerable time.

6977. In the year 1827, at the period these transactions in reference to Richey and Mr. Brydge were taking place, were there Orange Lodges held in that district?—Certainly.

6978. Have they been held from that time to the present?—Yes; I had it from the Orangemen; I had it from an Orangeman before I left home, that there was a lodge in his house.

6979. Were Orange Lodges held in the year 1826?—Yes.

6980. Did they ever cease to meet from the period of 1826?—Perhaps for a time.

6981. You were asked this simple question, whether Mr. Brydge gave a character to Richey with a view to getting him out of the country, though Mr. Brydge knew that Richey was guilty of murder?—I think he did not.

6982. Did you not say that he suspected him of it?—He suspected him after that; I was speaking of the time between the period of the first character being given and the second character being asked.

6983. At the time he gave this certificate with a view to getting him out of the country, you were aked did he know whether he was guilty of this murder or not?—He did not.

6984. Are you positive that Mr. Brydge did not suspect Richey to be guilty of murder at the time he gave him a general certificate?—I think he did not.

6985. You said, that at a meeting of the first Presbytery which Mr. Brydge attended you went there for the purpose of giving evidence?—Yes, I did.

6986. You also said, that the Protestant rector and the curate of the parish were there present?—They were.

6987. You

6987. You said also, that they seemed to be at the head of the Orangemen, or connected with the Orangemen who were present?—They appeared to have influence with them and to be very active.

6988. You say you were afraid of giving evidence, afraid of your life?—Notwithstanding I was afraid, I would have given evidence if they would have heard me.

6989. In point of fact, was your life in danger from violence?—I was afraid at the time, but I escaped.

6990. Was it your impression at the time that your life was in danger?—It was, and I thought Mr. Brydge's was in danger.

6991. Did those clergymen of the Established Church then present endeavour to do anything to save your life or to diminish the danger you were in?—No.

6992. The question refers to two clergymen, whom you have referred to, the rector and curate of the parish?—No, they did not certainly, for they appeared well pleased with the annoyance Mr. Brydge got.

6993. The question refers to the danger of your life; do you mean to say that the rector and the curate were pleased that your life was in danger?—They afforded me no assistance; they might not think so, but that was my idea.

6994. Did they interfere in your favour at all?—No, they did not; the fact was that they would not let Mr. Brydge's friends speak at all.

6995. You say you considered yourself in danger from violence; did those clergymen, aye or no, interfere in your favour?—They did not interfere in my favour.

6996. You have stated that Mr. Brydge acted as a tithe proctor for two neighbouring parishes for some time previous to this affair?—Yes.

6997. The feeling of the population of Churchmen and Presbyterians is very strong against tithes, is it not?—It is more so than it was at that day.

6998. It must have been therefore a very ungrateful office to discharge that of a tithe proctor?—Indeed it is a very painful one.

6999. It is very much calculated to bring a man into disputes with his neighbours?—It is.

7000. Do you consider, that discharging the office of a tithe proctor for a clergyman of the Established Church is a proper occupation for a Presbyterian minister?—I do not.

7001. Do not you conceive it is calculated to injure him in his vocation?—Certainly; it is an office he ought not to accept of.

7002. Had not Mr. Brydge made himself very unpopular with his congregation for many years previous in consequence of having undertaken this office?—He had not.

7003. Did your never hear that stated?—I heard it stated by his enemies since, but I had as good an opportunity of knowing as any man; he was brought by the synod before them, and they allowed him to continue in his office for several years till this business was brought forward.

7004. Mr. Brydge's case was subsequently to the event brought before the synod?—It was.

7005. That was the Presbyterian synod of Ireland?—Yes.

7006. Of whom is that synod composed?—It is composed of the clergymen of the Presbyterian body that are known by the name of Seceders, and ruling elders.

7007. They are generally persons of piety and respectability, are they not?—Of course they are, as much so as other clergymen, in my idea.

7008. Are not the Presbyterian clergy of Ireland eminent as a body for their piety and their respectability?—Indeed I cannot say.

7009. Did not that Presbyterian synod, after hearing that case in the first instance, decide against Mr. Brydge?—Yes, in the tithe case; he was acquitted in relation to Richey's business; they said they would suspend him if he would not give up the tithes, and he then gave them up.

7010. However, they did decide against him upon the tithe case?—They did, or they would have done so had he not submitted.

7011. Did not they also recognize the Presbyterians who were opposed to Mr. Brydge, as the original congregation of Castle Caulfield, and has not a Presbyterian minister been ordained over it?—When they shut Mr. Brydge out by violence, the synod then said his usefulness might be at an end there, and

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when this party had threatened them so much to shut the doors and not allow them to go in if they attempted to support Mr. Brydge, they then agreed he should have a colleague; he was not to give up his situation as the minister of that situation, but to have what may be called a colleague.

7012. Was not Mr. Brydge obliged to come over to England, to get up a subscription for the purpose of building a new chapel?—He was shut out of his house, and obliged to apply to the generosity of the people.

7013. The Presbyterian synod of Ireland appointed a minister over the chapel from which he was excluded?—There was a very good reason why that was to be the case; they were going to assassinate Mr. Brydge there, that can be shewn; and that was the reason he did not go there.

7014. You say they were going to assassinate Mr. Brydge; do you know the persons by name who were going to assassinate Mr. Brydge?—I can tell the evidence that came before me; it was before the magistrates.

7015. Tell the Committee that evidence?—Mr. Brydge had got this colleague, and he went there a few sabbaths; on a certain day, I think about the third day of going to this place, I was going myself; the fact is, that we were going together. Mr. Brydge went out of the public house, after leaving his horse, and there was a person of the name of Thomas Tanner in that town, a connexion of the deceased Richey, said to me, "Mr. Brydge will be murdered, and you also, if you go with him; and for God's sake send after him." I sent a person after Mr. Brydge to bring him back, and say that my advice was, that he should not go to the meeting-house; I have always advised you not to go forward, your character stands as high as ever; but this persecuting party will take away your life, as well as your living; it will be better for you to give up going to that place, and bring them before the synod." Mr. Brydge came back, and Tanner told him the same. He told to me, he examined into the matter what cause he had to say that; the cause he said was this, that a relative, I think a sister-in-law of Richey's, came into his house and told him that they wanted to get a dinner prepared for a few strangers that had come from a distance and wanted some money; he inquired into the matter, and found that they were persons coming to take away Mr. Brydge's life; he had it from his wife, as he stated, a near connexion of the same party; and in consequence of this Mr. Brydge and I went home, and our friends and we got a summons, and brought them before the magistrates; Tanner was produced there, and some of his friends that had some knowledge of it. His wife denied what the husband said, and the husband swore to what he told us about their going to assassinate Mr. Brydge, and stated it was a man with a big coat round him, and then a red coat under it, and gave a description of the man; but it was made up in this way, the magistrates took me aside; the case appeared a very strong one; Mr. Brydge said, he feared he would be assassinated; it would be better to say there was not sufficient ground to proceed against them, or words to that effect; and gave me a hint that it was more than probable. I did myself think he was in danger at the time, and that it was time to look for protection.

7016. Did you ever hear the name of this man with a big coat with a red coat under it?—No, I did not.

7017. Do you think the magistrates could take any effectual precautions to arrest a man, of whom the only account they heard was, that he had a big coat and a red coat under it?—I am not throwing reflections upon the magistrates; but they might have followed the thing up and investigated it more particularly if they had wished to have proof of the man's name, as I suppose.

7018. Did you not hear it stated, that it was the congregation of Castle Caulfield, and not the Orangemen, who excluded Mr. Brydge from his meeting-house?—I have heard so, but it is entirely talk; a number of people there would put out any one who would not go every length they wished.

7019. Richey had been a member for many years of the Presbyterian meeting-house?—I think he had; but if he had taken Mr. Brydge's advice, and not waylaid the people along the road and murdered them, it would have been as well for him and for others too.

7020. He had been baptized by Mr. Brydge?—I heard so; but I do not know that it was so.

7021. He had regularly attended Mr. Brydge's worship?—I think he was not a regular attendant.

7022. Did Mr. Brydge, who was his minister, ever visit him in gaol before

or after his trial?—I heard Mr. Brydge say that he did not, that he dare not go near the house to visit them, they were so much enraged against him.

7023. Was he likely to be attacked by the turnkey or the gaoler, or who would attack him if he visited the gaol?—I am speaking of his visiting the people.

7024. Did he visit Richey in gaol before or after his trial?—Not to my knowledge indeed.

7025. He had interposed in the first instance to give Richey a character?—He did do that.

7026. Did not he not only promise Richey's relations, but also his attorney that he would give him a good character?—I believe no such thing.

7027. Did you never hear him state, that on the Sabbath previous to the trial he informed his congregation that he was going to the assizes to give two young men a character, one of whom was Richey, and that he made the very same statement to a neighbouring minister a few days before the trial, and that at the assizes he told a highly respectable hearer of his, that his object in coming there was to give Richey a character?—There were many things I heard them state; I do not believe them, for I never could hear them proved on the different trials; the evidence against Mr. Brydge never could prove any such thing.

7028. Having heard that report yourself, is it not improbable that such a rumour may have gone abroad and tended to create the ill-will against him?—I heard so much of Mr. Brydge's anxiety that they should put the saddle on the right horse to bring the right persons forward, and when he found they would not do that, he told the attorney that he was afraid that he was guilty, and could not go any farther.

7029. Do not you conceive that Mr. Brydge's reason for supposing Richey to be guilty, was one of the most unsatisfactory illogical and absurd that ever entered into the mind of man?—If I have any understanding whatever, (it is not much to be sure) I say that if I had at all found Mr. Brydge doing anything against that which was just and fair in the case, I never should have supported him, but I never could see anything improper done by him in this case, and therefore I pledged myself to support him throughout the business.

7030. You have stated that Mr Brydge conceived Richey was present because his mother, after giving up the names of the parties who were accused, refused to give up the name of the real murderer, is there not a general feeling in Ireland against any man who brings to justice a person accused when not called upon to do so?—I should like to understand the question.

7031. Did you never hear that the real murderer had fled the country and gone to Scotland?—The real murderer was said to have gone after the judge; after Richey got his sentence the attorney got a person that said he was the murderer, in order to show that Richey was innocent.

7032. That man afterwards went to Scotland, did he not?—I do not know where he went.

7033. Was it not the general opinion among the Orangemen and a great many of the Presbyterians that Richey was innocent, and that if the Presbyterian minister, Mr. Brydge, had come forward and given him a good character, he, an innocent man, would not have been executed?—They raised that report, but I think it was a groundless report and not the opinion of the country at all, but of that party.

7034. Did you ever read the letter of a clergyman of the name of Donnelly, the chaplain of the gaol and who attended Richey?—I heard it read, it was produced by the rector, as I stated in the commencement of my evidence.

7035. Will you attend to this letter and state whether there were not strong reasons for believing that Richey was not guilty of murder; it is dated "Omagh, August, 16th 1827. Dear Sir, I have to acknowledge the receipt of your letter, and feel great satisfaction in being enabled to give you the information which you require with respect to the last moments of the late unfortunate George Richey. I visited him for the first time on Thursday evening, very soon after he received sentence of death, and the state of mind in which I found him at that time was indeed lamentable, when, however, the first shock was over, (which to him was sudden and alarming,) and his mind became somewhat composed, I laid before him as forcibly as I was capable of doing the nature of the situation in which he was placed, and implored him, as he valued the salva-

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tion of his soul, to confess his guilt to God; the answer in his own words was, 'that he declared to the Almighty God he had no knowledge of the matter until it was told him on the day after the man was beat.' Not content with this single declaration, I again besought him not to endanger his future salvation by concealing or hiding any part of his guilt, and begged of him if he had been in any manner concerned, to declare it; his answer was the same without change or shadow of difference, from what he first asserted, namely, 'that he knew nothing whatever of the matter until the day after the man was beat,' he was now more reconciled and enjoyed some peaceful moments; sometimes, however, relapsing into his former disturbed state of mind, and constantly repeating, 'Oh, God! if I was guilty it would be no matter, but thou, Lord, knowest that I am innocent.' I left him on Thursday night at twelve o'clock, and visited him next morning at six, he was greatly discomposed and nearly in the same disturbed state I had first found him. With considerable difficulty he was at length brought to a proper sense of his situation, and I again impressed on him the absolute and indispensable necessity of an acknowledgment of his guilt; he still, however, persisted in the same firm and unshaken manner to declare his innocence; 'he had indeed, he said, spent many idle and foolish days, and had frequently offended his God, that his transgressions were more in number than the hairs of his head, but of the crime for which he was to suffer, that he was perfectly innocent, and, that, O God!' he added, 'thou knowest;' these expressions I perfectly recollect him to have uttered. He now expressed an anxious desire to see his father, and that melancholy interview took place in my presence. His firmness here was really astonishing, and his father could not help expressing his surprise to meet such a wonderful change in him. He hoped, he said, his father would bear it with patience, that as for him, the only thing which now troubled him, was the shock which such a shameful and disgraceful death must give his father and mother. His father observed, that the greatest consolation which he would have to support him under so much affliction was the consciousness of his innocence, to which the son replied, 'I am innocent father, and that you know, and that God knows;' these were the words which he actually made use of on that melancholy occasion. His state of mind during the whole time I spent with him on Friday night was perfectly calm and tranquil, he was engaged in fervent prayer, and exceedingly attentive while I read for him; he still continued to make several protestations of his innocence. On Saturday he was perfectly resigned, and a few minutes previous to his execution, was again, for the last time, urged to make a public confession of his guilt, if he had been really concerned in the murder of M'Crory. His declaration was still the same, a solemn appeal to God that he was perfectly innocent, and with this declaration his last words fully accorded. These words he pronounced in the firmest manner without the slightest embarrassment or hesitation, 'that he now declared before God, and in the presence of the multitude assembled before him, that he had neither act nor part in that murder for which he was now called to suffer death; that he forgave from his heart those who had prosecuted him, and he hoped God would forgive them also; that he requested his friends would shed no tears for him, as he hoped to be in a few minutes happy for ever.' These were the last words he ever spoke, and the truth of this declaration I have never heard questioned by those who were then listening to him. There was not an individual in that immense crowd assembled to behold this melancholy scene, who did not go off perfectly satisfied as to the truth of this declaration of his innocence. It is the impression of my mind, and I may venture to say of every one in this part of the country who has heard the circumstance, there is not a single dissentient voice. I am, dear sir, with great respect, your obedient servant, P. Donnelly. Rev. Thomas Carpendale, &c. &c., Rector of Donaghmore" Is that the Mr. Carpendale of whom you have been speaking?—Yes, that was the very letter he was endeavouring to inflame the minds of the people by reading, but I think the letter was shorter.

7036. Do not you conceive that such particulars, well known to the people, and such a letter when generally diffused, was calculated to impress very strongly on the minds of the people, that an innocent man had suffered, and that perhaps he would not have suffered if a good character had been given him; and to excite them very strongly against the Presbyterian minister, Mr. Brydge?—Indeed attending to that statement alone, I would have a good right

to

to say so, but I think a man of sound judgment would not attend to a vague report of that kind.

7037. Is Mr. Carpendale an Orangeman?—I think he is; he seemed very violent on that side.

7038. You say you think Mr. Carpendale is an Orangeman, do you state that of your own knowledge?—I think he is a Conservative; and I think he has always been very violent on that side; and he has not been well-disposed to any man who was liberal, or who came forward to say any thing against the principles of the Orangemen.

7039. Have you any knowledge as to the fact, whether Mr. P. Donnelly, the chaplain of the gaol, is an Orangeman?—I cannot say.

7040. Is he still the chaplain?—I rather think so.

7041. Do you conceive the chaplain of the gaol who sends this letter, and appears a pious man, whose language is precisely what you would expect to be the language of a pious minister, under those circumstances, would state that which was not the fact, for party purposes?—Indeed it is very hard for me to say that, if I knew he was such a minister as Mr. Carpendale, I could form a judgment.

7042. Do you conceive the statement of the particulars attending the last hours of a man about to be executed, entitled to the character of an inflammatory statement?—I cannot say any thing to that.

7043. You recollect this letter to have been produced at the time?—It appears to me something like the letter; that was the letter that Mr. Carpendale endeavoured to inflame the minds of the people with at the meeting; and a magistrate did the same thing; that letter alluded to is the same letter I dare say, or at least in part.

7044. The Presbyterian synod before they had dismissed a clergyman of piety and education, and a man of liberal mind, would of course very diligently investigate all the circumstances of the case?—They would if they had been allowed, but they were not allowed in some instances.

7045. Of course, if any individual, whether a clergyman or a layman, was possessed of so important a document as this, he would not feel himself authorized in concealing it from that synod, but would conscientiously and candidly produce it?—That would be all very fair; but I do not see why Mr. Carpendale should step out of his own way, and get a letter to affect the minds of the people so as to forward the interests he was attached to.

7046. You are a Presbyterian, and a friend of Mr. Brydge's?—I would have been as much a friend of any minister in the synod, if I had been in the synod, and known the circumstances as I knew his.

7047. You have been for many years on very friendly terms?—Yes, and I hope always will be; I have the highest opinion of him.

7048. Are you at all connected with Mr. Brydge?—I am not at all connected less or more in any shape, as a relation or connexion.

7049. Do you hold the same politics with him?—I have always held the same politics I hold at the present day, and I wish all gentlemen did the same. I believe Mr. Brydge was always fond of Orangemen; more fond of them than I was, till he found out their persecutions; and I say I have had an objection to any secret societies myself all my life.

7050. You came from the county of Tyrone?—I did.

7051. A liberal club has been formed in the county lately?—There has.

7052. Are you a member of that club?—I am a member of a club to prevent jobbing in the county.

7053. Are you a member of the liberal club?—It was called the Independent Club, and it was for the purpose of preventing road jobbing and nothing else. I subscribed 20*l.* and to prevent road jobbing contracts, and with good effect.

7054. Is there a liberal club at Tyrone?—None going under that name.

7055. There were a considerable number of Presbyterians in that club, were there not?—There were, and magistrates too.

7056. That club is strongly opposed to tithes?—They never interfere with them.

7057. Will you attend to this passage in the speech of Mr. O'Connell, and state whether it is correct or not; it is a speech made at the Anti-Tory association, reported in the Dublin Weekly Register of December 13th, 1834. "I should now wish to advert to the north of Ireland, and in the first place, to say how

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how delighted I was to perceive by the newspapers, that a liberal club was established in the county of Tyrone ; and I was the more delighted to hear that by far the majority was composed of Presbyterians, sturdy independent men, who have good long leases, who can both look their landlords in their faces, and the sheriff too, every day in the year, which some of their landlords are not able to do. They are strongly opposed to tithes, and there is a chance that they will not continue to return both the present Orange members." You seem to think Mr. O'Connell was mistaken when he said you were strongly opposed to tithes?—I do not know what Mr. O'Connell means, but I can tell what my own answer would be upon that subject. I would say that they never interfered with any thing whatever but with road jobbing. I think if they were of the description stated the grand jury would not propose any members to join that club.

7058. Where there any members of the grand jury who proposed to become members of that club?—Yes there were, but we would not accept of them.

7059. Perhaps you have heard of the letter Mr. O'Connell read from Derrinane, in which he has spoken of the formation of liberal clubs that the two objects for which they were to be formed were, the extinction of tithes and the repeal of the Union ; have you ever heard those questions agitated in your club?—No.

7060. Did you never hear any of those subjects discussed in your club?—No, it was the jobbing on the roads and nothing else.

7061. You have said that Orange Lodges were held in 1827 ; do you know that of your own knowledge ; did you ever see an Orange Lodge held in 1827?—I think I was in an Orange Lodge not three years ago when they were sitting, or two years ago.

7062. You are asked whether you know of your own knowledge that an Orange Lodge had been held in 1827, and you state that you went to a Lodge in 1833?—I dined in company with two young gentlemen of some respectability, they were going home and had got a little tipsy, and I went into the lodge with them to get them safe home, they went into this lodge, and I stood out and I was asked in there, and there was nothing particular occurred.

7063. The Orange Institution was not in existence as an institution from 1825 to 1828, it is possible that notwithstanding the central Orange Lodge of the institution was not in existence, some of the country lodges might have been kept up ; you have stated that the Orange Lodges continued in 1827, carrying back your memory to 1827, that is eight years ago, can you state of your own knowledge that any Orange Lodge you can specify was held in that year?—No doubt there was, and they were held regularly. I have seen them, and often as they have been opposed they never gave them up ; and for many years before that I have seen them on the 5th of November walking, and have seen them display in Dungannon, marching through the town and behaving in a most ridiculous manner, so much so, that none but low Orangemen would associate with them.

7064. Are you sure that was in the year 1827?—No, it was since that.

7065. Did you see the procession in 1827?—Yes, I did,

7066. Did you see any processions in 1826?—Yes, I did.

7067. Processions took place before an Orange Lodge was in existence ; but do you know of your own knowledge of any Orange Lodge, and if so, specify it, which was held as a lodge in 1827?—There is no doubt of it at all, none whatever ; I was not in their lodges in those years, but I am sure there is not a question at all in that part of the country of the fact.

7068. Do you know it of your own knowledge?—I am positive of it.

7069. What evidence have you of the fact?—How could they assemble themselves together in those large bodies, if they had not lodges to sit and consult ; I can shew it under an Orangeman's hand in the newspaper, that he acknowledges himself to be such.

7070. Can you shew from a newspaper under an Orangeman's hand, that Orange Lodges as lodges were held in 1827?—No, not in 1827.

7071. You say that Richey surrendered himself?—So I understood, and believe.

7072. Was not Richey under the impression, up to the time of his trial, that Mr. Brydge would come forward and give him a character?—I do not know, but I believe that after he surrendered himself, the friends of Richey kept off from

from him, and the trial was directly after; this was a business which lasted several years from the first to the last, and I have heard a great deal about it.

7073. What was the reason for refusing to admit magistrates and grand jurymen into the Liberal Club?—Into the Independent Club, because we thought it was better to keep them out for two reasons.

7074. Why do you call yourselves the Independent Club?—Because we had courage to go forward to oppose the grand-jury, a body so strong as they are in Tyrone.

7075. On what points did you go forward to oppose them?—The non-expenditure of public money, and peculation and many abuses.

7076. Was it your club that caused the turnpike-gates to be pulled down on the main north road; was it under your auspices they were pulled down?—No, by no means, I was an advocate for turnpike-gates on the principal leading roads.

7077. Were not all the turnpike-gates pulled down?—Yes, they were taken down; we have no turnpikes in Tyrone.

7078. Were not Government obliged to post police as toll-gatherers through the whole county of Tyrone?—No; they were taken down by the directions of the grand-jury, they were not paying the expense when they were given up.

7079. You have stated that they were all pulled down?—I mean to say they were done away with.

7080. Were they all pulled down?—There were only one or two pulled down by violence, there were one or two I believe.

7081. Were not there others?—Not to my knowledge.

7082. Do you mean to say there was a single gate left on the Derry Road from the northern to the southern boundary of the county?—Yes, there were several near Omagh and towards Ballygaly.

7083. Were not the Government obliged to place policemen as toll-gatherers at the county gates?—If I may give my opinion, they found they were not paying, and they applied to Government to have them done away; there were police at Aughnacloy, and there might have been some at Ballygaly.

7084. Where do you live?—I live within five miles of Aughnacloy, and five of Dungannon.

7085. Do you often go to Omagh?—I do.

7086. Did you see the police in charge of the gates at Omagh?—I did not; I do not conceive there was any necessity for them there.

7087. Did you not mention that the Reverend Mr. Carpendale and his curate behaved very badly at the inquiry into the conduct of Mr. Brydge?—I thought so.

7088. In what respects did they behave very badly?—They were going to the clergymen, and from them to the mob, that were so violent and inimical, and inflaming them at what was going forward. Mr. Brydge's friends could not be heard, from the shouts and screams of those parties who were opposing Mr. Brydge; they seemed to dictate to the party.

7089. Mr. Carpendale did?—Yes; he appeared smiling and cheerful at any thing that appeared to be going on against Mr. Brydge; as I stated, I could not hear the words he expressed.

7090. Was there any other misconduct but his smiling?—I cannot say that there was.

7091. This is the misconduct which you say Mr. Carpendale and his curate were guilty of in this inquiry?—I think that was quite enough.

7092. Was any complaint made to the parties?—I did not hesitate to state this to the synod.

7093. Is Mr. Carpendale a clergyman of the church of England?—Yes.

7094. Was any complaint made to his bishop?—Not that I know of.

7095. Was there any complaint made against him in any quarter?—No, except at the synod.

7096. Had the synod any authority over him?—No.

7097. Was there any complaint made against the curate?—Not that I know of.

7098. Did the curate laugh too?—Yes, he did.

7099. Did not they produce a letter from the chaplain of the gaol?—Yes; and there was a magistrate, Mr. Crossley, sent a letter also against Mr. Brydge, and other persons were sent there, as they confessed, by Mr. Crossley, to prove that which they could not, that he was viewing tithes of them.

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7100. What is Mr. Crossley?—A magistrate.

7101. Do you mean a stipendiary magistrate?—No; a magistrate of that country.

7102. Did you see the letter?—I did.

7103. Did you read it?—I did.

7104. It was his handwriting, signed by him?—Yes; it went into the clergyman's hands, and I saw it.

7105. And it communicated that he was a tithe proctor?—That he was valuing tithes.

7106. Mr. Crossley is agent for Colonel Verner?—Yes.

7107. Colonel Verner is grand master of the Orangemen?—Both the gentlemen are known to be Orangemen.

7108. Do you know any thing of a person having been murdered near the town of Aughnacloy?—I know there was, prior to the murder of M'Crory; there were three murders in a short time.

7109. Do you know any thing of a person being murdered while he was collecting tithes in the middle of the day by persons in women's clothes?—I suppose it is twenty years ago that I heard the report of that; but I know nothing more of it.

7110. Twenty years ago?—I am sure it must have been near that.

7111. Was there more than one occurrence of that kind there?—I have heard of but one.

7112. There has been no such occurrence as that within these few years, of a man murdered in collecting tithes by a mob in women's clothes, in the middle of the day?—I have not heard of any thing of the kind within that time.

7113. Do they pay tithes in Tyrone now?—A great many were obliged, by the influence of the landlord; but they would not if it were not for that.

7114. Were you acquainted with Richey yourself?—Very little.

7115. He was a very young man, was not he?—He was not an old man.

7116. Did you know him to be a man of bad character, generally speaking?—I did not; I only know what I heard; an affidavit produced against his character on the trial as to being an improper person.

7117. By whom?—Sworn by an Orangeman, I think.

7118. Were you present at the trial of Richey?—No, I was not.

7119. Did you ever hear that a man of the name of Beevory was murdered about the time that M'Crory was murdered?—Shortly before.

7120. Was he a yeoman?—I think he was.

7121. Did you ever hear that he was an Orangeman?—I do not know whether he was an Orangeman or not; but I know he was a quiet, well-disposed man.

7122. Were not the circumstances, that a party went into his house at nine o'clock at night, and shot him?—I have no doubt of it.

7123. Did you ever hear that a person was identified, taken up, and tried at the next assizes?—I did.

7124. Did you ever hear that one Roman Catholic was upon the jury who tried him, and that he held out against the remaining eleven?—I did hear so; and I thought it an extraordinary circumstance that a Catholic should be on a jury there.

7125. And that in consequence the person who was put upon his trial was remanded?—Yes.

7126. Did you ever hear that he was tried at the following assizes, convicted and executed?—I did; and I was present at the trial, and proceeded home afterwards, and was confident that the man would have been acquitted.

7127. There were no challenges on the second jury?—I think not.

7128. Did you ever hear that the persons who gave evidence against the prisoner were the widow of the man who was murdered and his daughter?—Yes.

7129. Did you ever hear that it became necessary to have them committed to gaol three weeks before the assizes, in order to prevent their being put out of the way?—I know they were taken up and taken into custody in that way; but there was no occasion for it in my opinion; they were clothed and dressed very respectably on the trial; they were taken into custody by certain gentlemen; it was observed in the county why it was done.

7130. Did you ever hear the statement to the effect that if they were not put into gaol so for back as three weeks before the assizes, they would be taken out of the county, was made satisfactorily to the Clerk of the Crown?—It might have

have been; but it was not the general opinion of the country at large; quite the reverse was the opinion.

7131. Did you ever hear that the Government was so satisfied that the widow and daughter would not be safe in the county after having given evidence of that murder, that they felt it proper to afford them the means of emigrating?—Of course if the Government was not satisfied of that they would not have done it, but it would be hard to satisfy me.

7132. Do you know how the jury was composed in the second case?—Some of them were considered to be Orangemen.

7133. On the first jury there was but one Roman Catholic?—Just so.

7134. Are you aware that the jury who tried Richey were composed exclusively of Protestants?—Indeed I believe they were every one of them Protestants; I think there were nine of them Orangemen; I talked with some of them that were on the jury, and they told me that they could not get over hanging the man, even if Mr. Brydge had given a character of him.

7135. Did you ever hear that the innocence of Richey was so apparent afterwards, and that counsel were so satisfied of it, that they waited upon the judge the following morning, to pray him to respite the prisoner, which he declined doing, in consequence of the character Mr. Brydge had promised not having been given?—Indeed I do not think I heard that; I might have heard it, and might not; I heard people say, his own connexions, that that would have been the case if he had done so, but it is not my belief.

7136. Who was the judge that tried Richey?—I do not recollect.

7137. Was there any memorial forwarded to that judge on behalf of Richey by the gentlemen of the county?—So I heard.

7138. Did any persons of respectability give a character to Richey upon his trial?—No, I believe not; I believe Mr. Brown, the magistrate, left the court when he found the thing was going hard; I have strong reason to believe that is so.

7139. Do you suppose that if there was a general impression throughout the county in favour of the innocence of Richey, he would not have found some one of respectability to come forward and give him a character on the occasion?—I certainly think he would.

7140. You stated that at the meeting where the disturbance took place there was present Mr. Brown a magistrate, who had also refused to give Richey a character?—That was the man who left the court.

7141. At which meeting was Mr. Brown present?—I went to the church, and got him to do his utmost to get the party quieted.

7142. He had refused to give Richey a character?—He did not refuse; but he left the court when it was going hard with him, and it was reported that he left it to be out of the way.

7143. That was known in the neighbourhood?—Yes.

7144. Give your opinion why you think the mob collected on that occasion made any distinction between Mr. Brown and Mr. Brydge, that they pulled down several seats in the chapel and part of the pulpit, and did not attack the other, Mr. Brown?—They had no hold over Mr. Brown.

7145. Was any attack made upon Mr. Brown at the time?—No.

7146. Up to this day has any attack been made on Mr. Brown?—No, he has removed to Dublin.

7147. It was an impression that existed among the people that Mr. Brown and Mr. Brydge had both refused him a character, but that one had promised him a character before, and then had refused it?—I do not think it was; I did not understand it so; the impression was by one party that Mr. Brydge deceived Richey; and another party said he did not; from several trials, and hearing all the evidence, my impression is, and I am certain Mr. Brydge was not to blame, for I should have done the same.

7148. You now state the impression among the people was, that the cause of the outrage was, that Mr. Brydge had promised a character, and had refused it?—So report said; but the evidence said the very reverse.

7149. The question is, what was the impression of the people; was it not the impression upon the minds of the people who made that disturbance, that Mr. Brydge had promised a character to Richey, and had afterwards refused him one?—Of course they must have formed that opinion.

7150. Did not Mr. Carpendale and his curate, by going to that meeting, at

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which you attended, where there was such violent and outrageous conduct, putting down those who spoke in behalf of Mr. Brydge, and by reading that letter, which has been read, tend to inflame the passions of the people, and to lead to that impression of which you have spoken?—It was done to the utmost.

7151. Might they not have done all with an entirely different view?—Yes; but it is not usual to do so.

7152. You stated that Mr. Carpendale and his curate and attorney were present at the meeting of the Presbytery, can you mention any other person of rank or station who were present at that meeting?—No gentlemen of the county, except the clergyman, unless Mr. Brown, the magistrate; I think he was there.

7153. Is Mr. Brown a Presbyterian?—I cannot say; he went to church when he was in that neighbourhood; but I do not know what he is now.

7154. It was on the meeting of the Presbytery he attended?—Yes; but there were so many meetings, it is hard to say which it was.

7155. Can you mention any persons of rank and respectability nominally in the ranks of the Orange party?—I cannot.

7156. With the exception of Mr. Carpendale, the curate, the attorney and Mr. Brown, they were all persons in a low rank of life?—A great many of them were.

7157. You cannot mention any who were in a higher situation?—It is a long time since; and a man may have a very firm opinion that he is right, but he ought to be very cautious; I therefore decline to say exactly.

7158. Were there persons of respectable situation present on the Sunday?—Many of the people of the country attending there; there are a great many Orangemen of the country who are as anxious to have that system done away with as I am, who am not an Orangeman.

7159. Is Mr. Crossley, the agent of Colonel Verner, a church of England man or a Presbyterian?—A church of England man.

7160. Did you not state that there were two parties, one opposed to Mr. Brydge, and the other to defend him, and that there were respectable persons on each side of the question?—Certainly, there were behind the scenes respectable persons opposed to Mr. Brydge; but they did not come forward.

7161. Were not there respectable persons who took a part, independent of the clergyman and his curate, who took an active, prominent and open part against Mr. Brydge?—There might be some individuals whom I do not know; I cannot name any individuals.

7162. You say there were neutral persons, who took no part one way or another?—They were waiting to see the result.

7163. Is not Mr. Brown, the magistrate, a Presbyterian at present?—He may be; but I cannot say; he lives 70 miles from me in Dublin.

7164. Are you connected with the synod of Ulster?—No, the Secession or Presbyterian synod.

7165. Was Mr. Brown considered opposed to Orange principles?—I have heard some say that he was; some that he was not; my judgment is, he was a tolerably fair man, and would do all he could to make peace there.

7166. Is Mr. Brydge a seceder from the synod of Ulster?—He is a seceder from the Established Church of Scotland.

7167. Is he an Unitarian seceder?—No, he holds the doctrine of the Trinity.

7168. Richey was a Presbyterian?—Yes, and a dissenter, we call them all the same, the difference between them does not, in our eyes, signify much as to church government.

7169. Being in that congregation he was a seceder from the synod?—He was a Presbyterian or a seceder.

7170. The seceders are reckoned as the liberal party?—Indeed I do not know that they are.

7171. Was Richey an Orangeman?—He was.

7172. You know that he was an Orangeman?—I heard from other Orangemen since that he was.

7173. Did you ever hear that the Presbyterian seceders were opposed to the principle of a church establishment, and that the Presbyterians of the synod of Ulster

Ulster were in favour of a church establishment?—I think there are a few against it in both parties, I do not know any distinction. Mr. *R. Bell.*

7174. Had Mr. Brydge been opposed to the clergyman and his curate before?—Never, that I heard of. 24 July 1835.

7175. It was in Mr. Carpendale's parish this event took place?—Yes, it was very near to his church.

7176. Nothing could be more natural than a disturbance taking place in the rector's parish, that he should be present to see what was going on?—I never knew the rector interfere in any matter of this kind before, it was considered extraordinary.

7177. Did Mr. Brown when he was present take a part for or against Mr. Brydge?—He advised the people to conduct themselves with propriety, but they would not attend to him.

7178. Did he side with or against Mr. Brydge?—I cannot say that he sided one way or another.

7179. But he endeavoured to keep the parties quiet?—Yes.

7180. To whom were the letters of Mr. Crossley addressed?—They were addressed to the moderator, sent to the clergyman, they came there to the clergyman and were handed in to the clerk, the clerk of the Presbytery gets all the papers and he gives them out, it must have come in in that way.

7181. By the clergymen you mean, some clergymen of their own persuasion?—Yes.

7182. The letter you say was addressed to the moderator?—I say I think it could not come in any other way; they all injured Mr. Brydge upon that occasion bringing them forward.

7183. What was the purport of those letters?—To shew that he was acting as a common tithe proctor, and which he had never done, he only received, he did not view at all.

7184. Did those letters state anything more against Mr. Brydge?—I think they stated that against him, that they injure him in some respects.

7185. Are you yourself an Unitarian?—No, I belong to the Secession church.

7186. That Secession church is altogether an Unitarian church?—No.

Lunæ, 27° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Randall Kernan, Esquire, called in; and Examined

7187. WHAT is your profession?—I am a barrister. *R. Kernan*, Esq.

7188. Where do you reside?—I reside in Dublin and at Enniskillen, in the county of Fermanagh. 27 July 1835.

7189. Of what religious persuasion are you?—I am a Roman Catholic.

7190. How long have you been called to the bar?—Since the year 1804.

7191. What circuit do you go?—The north-west circuit.

7192. Will you name the counties embraced in that circuit?—The counties of Longford, Cavan, Fermanagh, Tyrone, Donegal and Derry.

7193. They are all, except Longford, in the north-west of Ireland?—Yes.

7194. You have been attending as a professional gentleman in many cases tried in those counties?—Yes; I was generally employed by the Roman Catholics.

7195. Has Orangeism existed, in a considerable extent, in that part of the country?—Yes, it has, to a considerable extent from Longford to Derry, and throughout the whole circuit.

7196. What has been the effect of the system upon the state of society?—I think the system has been most injurious to the peace of society throughout the province of Ulster, very injurious. The first evil was that of disuniting and dividing the Catholics and Protestants, and that has proven one very fatal effect of the Orange system. The next mischief, which I think it has created was that on the formation of the yeomanry corps, they were embodied I think in 1803 or 1804——

7197. Was not it upon the occasion of Emmett's rebellion the yeomanry were embodied?—I think so; but I know the fact that immediately after their being embodied, they were prevailed on by the Orangemen to join their lodges, and I think it has had a very bad effect on society.

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7198. You live immediately near Enniskillen?—I have a house in the town of Enniskillen and another in Dublin.

7199. What is the disposition of the yeomanry in that town, are they Catholics or Protestants?—There is not a Catholic yeoman at present attached to the yeomanry corps; they are all Protestants; there were some Catholics in the Irwin's town corps some time ago, but their arms were taken from them by the officer commanding them. A Mr. D'Arcy Irwin, a magistrate, had the command of them.

7200. Do you recollect the period at which they took the arms from them?—Indeed I do not, it is not long since. I was sent down on the part of the Government to attend an inspection of the matter, by a police officer.

7201. Can you state the year in which that occurred?—I think it was about three or four years ago; it was during the time of the Marquis of Anglesey's government, about three years ago; there was an investigation into the matter, and the Catholic witnesses did not appear: they said they were intimidated and afraid, but on the cross-examination of the permanent serjeant it appeared very clearly, that all the Catholics of the corps were discharged, and their arms taken from them; and for so doing I believe Mr. Irwin was reprimanded by the Marquis of Anglesey. It was said that he was suspended, but I do not know the fact.

7202. In the county of Fermanagh you say the yeomanry are all Protestants at present?—I believe they are all Protestants; I am almost certain they are.

7203. Are they not generally deemed Orangemen?—They are all Orangemen; I have always seen them walking in procession; I have repeatedly seen them walk.

7204. Have you seen them walk in procession repeatedly since the law was passed against processions?—Yes, both before and since.

7205. Have you seen many of them?—I have seen a great many of them; the procession passing through Enniskillen was generally attended by great numbers.

7206. Since the Procession Act was passed have you witnessed many Orange processions in Enniskillen?—Not since the Orangemen were indicted for the offence, several were indicted under the Act; I do not think I have seen one since they were prosecuted.

7207. When did that take place?—It was before this time twelvemonth at the Spring Assizes 1834, the trials of the Orangemen in Cavan, Fermanagh, Omagh and Derry took place.

7208. What processions have you seen since the Procession Act was passed?—I saw one or two only.

7209. Did you see many yeomanry among them?—I did see a great number of yeomen: every Protestant young man of Fermanagh, with few exceptions, able to carry arms is a yeoman.

7210. Do you think every Protestant young man competent to carry arms in Fermanagh is an Orangeman?—I do; they are yeomen, and I believe they are all Orangemen too; I have very little doubt of it, so far as having seen them wearing Orange colours on those days, and some of them carrying arms and swords and pistols, and all carrying Orange flags.

7211. Something to distinguish them?—Yes, some Orange emblem.

7212. In those processions does any one appear in the regular procession without his badge or colour to distinguish them?—I cannot say, generally speaking, but not one but have some orange lily or orange riband.

7213. What has been the effect of the society, as to the administration of public justice?—I think it has injured it very materially.

7214. Have the goodness to state how the administration of public justice is affected by the existence of the system?—In the first place, the returning officer at the assizes and sessions, the high sheriff generally, and sub-sheriff always, are both Orangemen, and I conceive that for the last 30 years to the best of my recollection, there has been no jury (in Fermanagh at least) consisting of other persons than Orangemen; I think the administration of justice has been most materially injured in that respect; and the reason I think so, because the verdicts were generally in all cases between Orangemen and Catholics contrary to the judge's charges, as well as contrary to the evidence; that is my impression, and I can state several cases in proof of the fact.

7215. Do

7215. Do you recollect any instance in which the judge expressed his disapprobation of the verdict?—I do.

7216. Will you state it?—I recollect the case of The King against Hall, an indictment preferred by the parish priest of the town of Enniskillen against the prisoner Hall, for breaking and entering the chapel, and taking thereout the vestments and carrying them away; this case was tried before Mr. Justice Fletcher.

7217. About what time?—I think in 1810 or 1811; the evidence given to sustain the indictment was very short, and therefore I shall mention it briefly. It was given by the provost of the town of Enniskillen, William Stewart, esq.; he is deceased; the evidence consisted of the admission and confession of the charge by the prisoner to the provost and another person.

7218. Was the provost a magistrate?—He was *virtute officii*; the judge I recollect told the jury that they had nothing to try; that the prisoner's admission and confession as aforesaid, was sufficient in point of law to warrant his conviction; the issue was sent up to the jury; the prisoner was called upon for his defence, but declined to examine witnesses; he gave no evidence whatever. In a few minutes afterwards, the jury returned a verdict of "Not Guilty;" the judge expressed great disapprobation. He said he thanked God it was their verdict and not his, and he then turned round and said, "Gentlemen, I will not treat you in this case as my highly esteemed departed friend Judge Fox treated a jury of this country; I will not placard your names on the session house or grand jury room door; you shall not have an opportunity of dragging me before Parliament, but I will immediately order the sheriff to discharge you from doing any further duty at these assizes," and they were discharged accordingly by the sub-sheriff; the prisoner was also discharged, and on his going into the street I did not see what followed, but I heard the noise, he was hoisted on the shoulders of Orangemen and carried through the town of Enniskillen in triumph.

7219. Was that man, the prisoner, an Orangeman?—He was; I recollect he had an Orange riband in his breast on the day of his trial, when he was in the dock; that is frequently the case.

7220. You do not think that an uncommon thing in the county of Fermanagh?—No; one of the grand jurors, Mr. D'Arcy, seldom is seen in the grand jury box at assizes without appearing with orange ribands or lilies, without a bunch of orange riband appended to his watch.

7221. Of what description of persons were the jury composed?—Of rather respectable persons.

7222. The question refers to the jury who tried that man?—They were respectable men, freeholders of Fermanagh; they are very respectable; highly respectable; before these societies were established, I do not think there was a happier set of people in any county than the people of Fermanagh; it is merely that unfortunate fiend of dissension which destroys the peace of the county; there are not better men any where than in that individual district, with the exception to their conduct as members of the Orange Lodge.

7223. What was the religious persuasion of the jury?—They were all Protestants.

7224. Were they deemed Orangemen?—I think they were Orangemen.

7225. You have never heard that disputed?—I never heard it disputed, and I have seen most of them in procession.

7226. Do you think the verdict would have been different, had not the system of Orangeism prevailed, the jury being composed of Orangemen, and this man who was tried being an Orangeman?—I cannot doubt it, seeing what the evidence was.

7227. The case was so clear?—The case on admission and confession; he brought one of the witnesses to the place, influenced by feeling compunction after he committed the act, he had the vestments dug out of the ground, and by his own particular desire they were handed back to the parish priest, to whom they belonged.

7228. The man confessed his guilt?—Yes, his admission and confession were the only evidence on the trial.

7229. You stated that the man confessed his guilt?—Yes; not on his trial, but before the provost, of which the provost gave evidence.

7230. It was proved that the vestments he had stolen from the chapel, he had

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had restored to the priest to whom the chapel belonged, and whose property of right they were?—Yes.

7231. The priest appeared on the trial to identify the property that was stolen, and the provost who was also a magistrate of the county of Fermanagh, gave evidence of previous admission and confession; the evidence was clear and conclusive to such a degree, that the judge told the jury they had nothing to try?—Just so.

7232. The jury found a verdict of acquittal in what time?—Immediately.

7233. They found a verdict of acquittal under such circumstances for this man?—Yes.

7234. That man you say was a reputed Orangeman?—Yes.

7235. The jury were deemed Orangemen?—Certainly.

7236. Had not the jury been Orangemen and the system prevailing, the verdict you say must necessarily have been otherwise?—Certainly, it must have been so; there could be no other conclusion.

7237. You mentioned a case that occurred in 1810; have you had an opportunity of observing the administration of justice since that time?—I have had.

7238. Do you think the same feeling which produced a verdict so illegitimate in 1810, has prevailed from that period to the present, and still operates on the administration of justice?—Yes; I positively swear it does to that extent from my own knowledge as a professional man, as between Orange and Catholic parties.

7239. You stated that the sheriffs and sub-sheriffs are generally Orangemen?—Yes, they have been as long as I can recollect, with a few instances excepted, as referrible to high sheriffs.

7240. Do you mean in all cases, or are there not exceptions where the sheriffs are not Orangemen?—Not to my knowledge, there may be exceptions with respect to sub-sheriffs.

7241. You speak of Fermanagh?—Yes, and the county of Donegal; there are exceptions in Donegal.

7242. Who is the present high sheriff of Fermanagh?—A Mr. Lendrum; he is an Orangeman; the present sub-sheriff of Fermanagh is a Mr. Dean.

7243. Is he a reputed Orangeman?—I have not the least doubt of his being one.

7244. Is he violent as such?—No, indeed; I never saw him violent, nor heard of his improper conduct; but he is an Orangeman.

7245. Is not Mr. Auchinleck an Orangeman?—He is, I think; and he has been an Orangeman for many years past.

7246. Has not he been repeatedly sub-sheriff of that county?—Yes, he has been four, or five or six years in succession.

7247. He is deemed an Orangeman?—There is no doubt of that.

7248. Do you recollect any sentiments expressed publicly by that Mr. Auchinleck with respect to the composition of juries, how he had acted, and how he would act?—I was not present at the meeting, but I have heard and I believe it, that he has made declarations; if they be not evidence I will not state them.

7249. Have the goodness to state them?—It was reported in a newspaper published in Enniskillen, in a speech he made.

7250. In what paper?—The Enniskillen Chronicle, and I think in the Reporter, and the Erne Packet.

7251. Is the Enniskillen paper hostile or favourable to Orangemen?—It is what is called a milk and water paper; it is neither the one thing nor the other. The proprietor is a Catholic, and he has made his fortune by Orangemen; he divides his talents; and his articles are as frequently Orange as they are Catholic.

7252. What were those sentiments?—He said in his speech, as reported by Mr. Duffy, and by one of the other papers, that he never would impannel any Catholic on a jury on any occasion whose conscience was in the keeping of his priest; I think that was his expression; and in the last four or five years that he has been sheriff I do not think that he ever impannelled a single Catholic freeholder.

7253. Are there many Roman Catholics in the county of Fermanagh who would be entitled from their property and condition in life to be upon juries?—A great many.

7254. Can you state the relative proportion between the Catholic and the Protestant

Protestant population?—Not very well; there is a majority of Catholics; there are many respectable of both classes, and very competent jurors of juries of each.

7255. Your evidence is, that the sheriffs generally speaking were Orangemen, and the sub-sheriffs Orangemen in the county of Fermanagh?—Yes.

7256. And in many other counties in the north of Ireland to which you go circuit?—No doubt.

7257. And yet the result of this was, the composition of juries in your county of Fermanagh is almost exclusively Orange?—Yes, I have hardly a recollection of an exception; I have heard of one or two instances.

7258. Have you any recollection of a Catholic being on a jury?—Yes, I have of one or two.

7259. How many do you recollect?—I recollect one or two instances, and only one or two.

7260. Do you mean to say that in your experience as a barrister for nearly 30 years you recollect but one or two Catholics on juries in that county?—I do say so, neither in the civil court nor for the Crown court.

7261. What has been the effect of the Orange system on the conduct of the magistrates as far as it has struck your observation?—I have made observation on the conduct of some of the magistrates; one magistrate in particular, a Mr. Gabbett, who was for a considerable time the provost of Enniskillen.

7262. You mean the chief magistrate of Enniskillen?—Yes, he has frequently refused to take the information of injured Catholics, and acted a very partial part in many instances.

7263. Does he come from Limerick?—Yes; he has no property in Fermanagh, but he was married to a distant relation of Lord Enniskillen.

7264. What has been his magisterial conduct?—A serious riot took place near Fermanagh, at a place called Innishmore.

7265. In what year was this?—In the year 1824. The then Lord Lieutenant was memorialized by the Catholics to send down a proper officer to investigate the riots; the late attorney-general was the officer sent down, Mr. Blackburn, and I attended on the part of the Catholics; on going to Enniskillen, the first thing Mr. Blackburn did was to go to the county prison to inquire the state of the gaol; on arriving there he found that from 18 to 20 Catholics had been confined without a committal, no cause whatever being assigned by the jailor for their imprisonment, but the verbal order of Gabbett. Mr. Blackburn sent for Mr. Gabbett, and, as I understood, gave him a very severe reprimand for keeping those persons nearly three weeks without a committal, or assigning any offence whatever, and he ordered the persons to be discharged immediately, and they were immediately discharged. I recollect another instance of Mr. Gabbett's highly improper conduct.

7266. Do you know whether Mr. Gabbett is an Orangeman?—I am quite certain from his partial conduct that he is.

7267. You say you recollect another instance of Mr. Gabbett's improper conduct?—In a case, I do not exactly recollect the name of it now, tried before Mr. Justice Moore, at Enniskillen, his conduct was equally reprehensible.

7268. How many years ago?—It was 17 or 18 years ago; there has not been a government in Ireland for the last 20 years that have not been annoyed by the memorials of the people for his improper conduct. I recollect I obtained a criminal information against him myself for assaulting me in going to attend my duty, on a trial for a riot between Catholics and Protestants at sessions. I obtained a conditional order for a criminal information against him for that in the Court of King's Bench.

7269. Was that conditional order made absolute?—It was not.

7270. Did he show cause against it?—No; the attorney-general was concerned for him, and the father of our bar, Mr. Rolleston, was my counsel; Mr. Rolleston prevailed upon me not to proceed, to let Gabbett off on this ground, that on the trial in Fermanagh the Orange jury would find for him if we went down to Enniskillen, and I consented.

7271. Did you receive any apology?—Oh yes, even from his own affidavits; they were full of apologies, of his not having had any intention to insult me, and every thing of that kind.

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7272. After you obtained the conditional order against him, he expressed his regret at the course he had adopted?—Yes, so I was informed.

7273. Were there any other instances besides that you have mentioned in which the judge reprimanded the jury?—I do not know any other; but I can state a very remarkable case tried by Chief Justice Bushe in the county of Tyrone of a verdict given against his charge and against evidence.

7274. Can you state the date?—I cannot give the date precisely without referring to my notes; it was about ten years, or from ten to twelve, it was an indictment for murder by the son of the deceased.

7275. Do you recollect the name of the party?—I do; the name of the party was M^cCabe; M^cCabe against Robinson * and others.

7276. Who was the prosecutor?—The son of the deceased, a man residing near Portadown of the name of M^cCabe, I think.

7277. Was he a Roman Catholic?—He was.

7278. Were the defendants Orangemen?—They were, for it was in the lodge room the conspiracy by the prisoners was hatched.

7279. Where was the trial?—It was at Omagh, either the first or second time the judge went that circuit.

7280. Under what circumstances did it appear that M^cCabe had met his death?—It appeared in evidence, that at the lodge room held near the town of Portadown, the persons who committed the murder proceeded directly from the lodge room to the deceased man's house and perpetrated the act, and killed him.

7281. Who were the persons who committed the murder?—One of the men was, I think, Robinson.

7282. Then the case was, The King, on the prosecution of M^cCabe, against Robinson and others?—Yes.

7283. Have the goodness to state the facts?—The prisoners and several other men in the lodge, it appeared in evidence, proceeded from the lodge room, and went to the deceased M^cCabe's house and there committed the murder; the judge charged the jury very strongly indeed for a conviction against the prisoners; the jurors found a verdict of not guilty. Immediately after they returned their verdict I left the court, and soon after the judge sent for me; on receiving the message from the chief justice I went and spoke to him, and this has been the reason I am not so accurate in respect of dates or names of the prisoners; he said, in substance, "Kernan, you are the only barrister in court who I have seen taking a full note of this trial." I said I had a full note of it; he then said, "Do you intend to publish it?" I said, "Certainly sir, I do," and gave him my reason. He said, "Kernan, my dear fellow, do you think its publication would tend to pacify the country and establish peace in this county to have this made public?" Said I, "I cannot tell that, but it is at present the chief remedy the Catholics have to bring these cases before the public, and expose such outrages; but however, if you think it would excite a feeling to disturb the peace on the part of the Catholics, I shall submit my opinion to your better judgment, and will not give it publication." I did not give it publication; it was the strongest case of unprovoked homicide I ever recollect in my professional practice.

7284. What do you mean by the strongest case you ever recollect in your professional practice?—It was the clearest case for conviction, and the chief justice was of the same opinion who recommended me not to publish it.

7285. Did the chief justice charge strongly for a conviction?—He did.

7286. What was the reason that the chief justice urged you not to give this report to the public?—Because he thought that the minds of the Catholics would be so inflamed by its facts that it would disturb the peace and provoke retaliation.

7287. That the verdict found by that jury was so contrary to the evidence and the charge of the judge, that the Catholics would be indignant and revenge it?—Yes, and the transaction so atrocious altogether.

7288. How was the jury composed?—That I cannot say.

7289. Were the jury Catholics?—I can say nothing more than the belief that they were not Catholics; but that very seldom happens in murder or felony.

7290. Do

* Of the names of the prisoners I am not quite certain, having at the instance of the judge declined to publish my notes.

7290. Do you think there was a Catholic on the jury?—I think not; the prisoners proceeded from the Orange Lodge.

7291. You say that more from the general character than the particular case?—Yes.

7292. Did the chief justice express his condemnation of this verdict in his conversation with you?—Indeed I must infer that he did, and I can draw no other conclusion.

7293. Did he strongly charge for a conviction?—He did, in my opinion.

7294. But you do not recollect whether he expressed his condemnation to you?—I think it was a strong condemnation of the verdict when he requested me not to publish it, from the nature of its atrocity.

7295. Was the defendant an Orangeman?—I cannot doubt it, from the evidence.

7296. How many persons were tried?—Four or five; I destroyed or lost my notes, and cannot tell the number indicted.

7297. It appeared that the defendants had gone from the Orange Lodge?—Yes.

7298. Was there evidence given as to what took place in the Orange Lodge?—There was; the prisoner's defence was an *alibi*.

7299. That *alibi*, you think, led to the discussion of what took place in the Orange Lodge?—No, I am quite sure it did not.

7300. What was the motive of killing M'Cabe?—That I cannot tell; but his being a Catholic, and perhaps a previous disagreement.

7301. Was it a part of the homicide?—I think it was.

7302. As the party left the lodge for the purpose of killing him, do you recollect whether any circumstances were given in evidence to show that they assailed him from party feelings?—I had not the least doubt that it was from party feelings.

7303. You do not happen to recollect the constitution of the jury?—No; I believe they were Orangemen.

7304. Have you a doubt that those men were acquitted, because the jury were Orangemen and influenced by unfair party feelings?—I have not the slightest doubt of it, from the evidence.

7305. What was the impression of the Bar upon the subject?—The impression of the Bar was universal; they thought it was a monstrous verdict; I mentioned to several gentlemen of the Bar, and I told many of them the reason I would not publish it.

7306. This was on the north-west circuit?—Yes.

7307. Your opinion was that the acquittal was most improper then?—Yes.

7308. And that the acquittal arose from party feelings?—Yes, certainly.

7309. Will you be able to state the date of that case?—I think I shall, by reference to my notes of other cases, but I have not them here. Either the chief justice on reference to his notes, (he cannot forget the trial), or the clerk of the Crown, or the Crown solicitor on reference to the Crown Book, can in a minute state particulars.

7310. Do you remember the case of "The King *v.* Kitson?"—Very well.

7311. Can you state the date of that case?—It was the 11th of July 1811.

7312. Will you state the circumstances of that case?—It arose from a riot which took place on the 11th of July 1811 in Derregonaly, in the county of Fermanagh; the prosecutor was the father of a man that was killed at the fair in that place. On the day subsequent to the murder, the prosecutor came to me to get my advice, and stated the facts.

7313. Do you know the persons who called upon you?—Yes, the father of the deceased, Denis Murvounage was his name, I advised him to go to the next resident magistrate and lodge informations; it was a party fight between the Orangemen and the Roman Catholics; they commenced fighting with sticks at an early hour; the Catholics had the best of the battle; the Orange yeomen retreated and got their arms, and then fired upon the people, which was the common way of concluding the fights in those days.

7314. It was a feud between both parties?—It was.

7315. It commenced between them when none were armed except with sticks?—Yes.

7316. The yeomanry retreated for their fire arms?—Yes; it was their constant practice in the morning of the fair, for the yeomen to lodge their arms

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in a particular place or depôt; then if a row took place in the evening, or a riot, they fought for some time with sticks, and after this the yeomen generally went for their arms and fired upon the people assembled at the fair.

7317. You desired the party to go to the next resident magistrate, do you recollect his name?—Yes, the Reverend William Owens; he refused to take the informations, or grant a warrant; I then desired him to go to the next resident magistrate; he went to the next resident magistrate, and he refused; and he tried several other magistrates and could not get one in the county to take the informations; and in consequence of that, Kitson, the person charged, escaped and went to America, and did not return for some time. Then at the ensuing assizes justice was completely defeated, and I applied to Judge Osborn, grounded on an appeal of the prosecutor, which stated that every magistrate in the county that had been applied to had refused to take the poor man's informations, and Judge Osborn called on the magistrates, gave them a very severe reprimand, and directed them to take the informations; and the informations were then taken, and bills of indictment found by the grand jury two or three years afterwards; the party was tried when he came back, and he was acquitted, and all the rioters; there were a great many rioters, on the same day that this man was killed; all the Catholics were afterwards tried and convicted for the riots, and all the Orangemen were acquitted.

7318. There were many Catholics and many Orangemen tried?—Yes.

7319. The jury was exclusively Orange or Protestant?—Yes; and the Catholics were convicted and the Orangemen acquitted.

7320. Kitson was acquitted, though he had absconded?—Yes, he had absconded; I thought I would try the conduct of the magistrates, and I sent the father of the deceased from magistrate to magistrate, till every one of them had refused.

7321. What is your observation generally as to the administration of justice?—In all cases civil and criminal between Protestant and Catholic, justice is positively denied to the Catholic.

7322. Where?—In Fermanagh, and the county of Tyrone; I will give a case in the county of Tyrone.

7323. What case do you now allude to?—The King against the Lieutenant of Yeomanry, of the name of Hamilton.

7324. The King on the prosecution of the Widow of Michael M'Brian against Hamilton?—Yes.

7325. What corps of yeomanry was he lieutenant of?—His father was a captain of the yeomanry, and he was the lieutenant, I think; I cannot state the name of the corps; it was in the town of Dromore, in the county of Tyrone, and I believe it was called the Dromore Yeomanry.

7326. Can you state the date of that case?—The 26th of December 1821; this was the prosecution of the widow for the murder of her husband; this matter occurred, it appeared, on the evening of the fair-day of Dromore; the facts are shortly these:—the fair, in the morning, was perfectly quiet, and as it appeared in evidence Lieutenant Hamilton came marching into the fair in the evening with a party of his own company of yeomanry. They were armed with their guns and bayonets; the county had been disturbed a good deal at the time with party feuds, and before that; and the corps assaulted, as it was stated, several Catholic persons as they came into the town.

7327. Were they armed?—Yes, they were armed; they marched through the fair, and when they arrived opposite the house of a man of the name of James Kelly, a publican, Lieutenant Hamilton ordered them to halt and immediately after that he gave them the word of command to prime and load, and fire into the house, which order they obeyed; several persons that were then taking refreshment in the house were wounded by the shot, and the deceased Michael M'Brian was killed; according to custom, of course, the next day Kelly and several others came to consult me upon the business, in the town of Enniskillen, and I advised them to go to Lord Belmore, who was a magistrate of the counties of Tyrone and Fermanagh. Lord Belmore received them and listened to their case, and told them he would meet them at a meeting of the magistrates in a day or two afterwards at Omagh. In the interim the friends of the deceased and the party who were assaulted at the fair by the yeomanry heard that Hamilton intended to fly the country, and without waiting for the meeting of the magistrates they made a prisoner of him and brought him before

two

two magistrates; the Reverend Mr. Stack was the name of one; I have not the name of the other magistrate; the father of the prisoner was also a magistrate, Mr. Hamilton.

7328. You mentioned that there were two magistrates; was the father of Mr. Hamilton one of those magistrates?—No, he was not; he came with his son, and attended with his son before the other two.

7329. State what occurred with those two magistrates?—The people applied to those magistrates to grant a warrant for the purpose of committing Lieutenant Hamilton for trial, and the magistrates refused, saying they would take his father's security for the son's appearance, and they did take his verbal security for his appearance at a future day at the town of Omagh, where Lord Belmore was to meet the magistrates, and where his Lordship did attend. Informations were taken by Lord Belmore against Mr. Hamilton and against the whole corps of yeomanry; but young Hamilton thought proper to forfeit the verbal bail taken by the magistrates. He fled from the country, and did not return for some years afterwards, but is now returned, and he is a justice of the peace of the county of Tyrone. A number of the men were afterwards tried at the assizes following; the persons aiding and assisting, in fact, all the yeomanry that were of the party, appeared on their recognizance, passed at the meeting at which Lord Belmore presided, to take their trial; but the Crown counsel postponed their trials in consequence of the absence of Lieutenant Hamilton, the principal charged with the homicide, and the case stood over, and there was an application made by counsel to Judge Fletcher, he was the judge then presiding, to bail them till the following assizes; and there was 1,000*l.* security offered for them, every man of the party being a yeoman, and every man an Orangeman. I recollect the judge, with great indignation, told the counsel he would not take 10,000*l.*, and that they must lie in gaol till next assizes, where they were till the Summer Assizes. At the Summer Assizes they were tried for murder and convicted of manslaughter, and sentenced to nine months' imprisonment.

7330. Was Mr. Hamilton ever tried?—I think he was never tried; he was not very long from home after the trial of his yeomen; I know he is now a justice of the peace in that county in which he is charged with having committed the murder, and on which charge a bill of indictment was found against him.

7331. Was the prosecution at the instance of Government and at the expense of Government?—Yes; of course the Crown always prosecute in such cases of murder, and especially such a homicide as that was.

7332. Did you mean to say that he committed the murder, or that he was charged with committing the murder?—Yes, I mean to say that he was charged with committing the murder, and there is no doubt that he commanded his yeomen to fire the shot that killed the deceased, and the chief defence of the yeomen was, that they, in firing the fatal shot, acted by the command of Lieutenant Hamilton their officer, and that therefore they were not liable; and it was by that means that the jury found them guilty of manslaughter, and not of murder.

7333. What was the origin of the dispute?—There was no previous riot on that day whatever, except that he began at the foot of the town, and when he came up to Kelly's house, there was an attempt to give in evidence that some stones had been thrown, but that was not satisfactorily proved; but he came marching up the street, opposite Kelly's house; the man keeps a public-house. It was said, but not proved, that Kelly kept a house for Ribandmen; there was not a particle of proof given of that fact.

7334. Were you counsel in that case?—I was; and I was counsel at the investigation before Lord Belmore, and I do not think the poor unfortunate men would have got informations if I had not been there, and for the highly praiseworthy conduct of his Lordship to procure the people justice.

7335. Did you cross-examine the witnesses?—Yes, I did.

7336. Do you recollect the case of The King on the prosecution of M'Custer against Alexander Coalter and several others?—Yes, perfectly well; they were yeomen.

7337. Can you state when that transaction took place?—The 15th of December 1823.

7338. Will you state the circumstances of that case?—There were several defendants in that case, and the crime charged was for breaking and entering the prosecutor's house in the night of the 15th of December 1823.

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7339. Did this occur in the county of Fermanagh?—Yes; I do not recollect the name of the townland.

7340. Was it at or near Tempo?—It was; the facts were, that about 11 o'clock at night, between 11 and 12, all the family were gone to rest except the prosecutor and his wife. A party whom he knew, and whom he gave evidence against as part of the assailants, were yeomen and Orangemen; they forced open the door, and four or five of them got admission into the house, and had some conversation with M'Custer. They talked to him about a pistol; he said he had no pistol; it was a pistol that was used at the fair; they then commenced an assault upon the man; there were 17 or 18 outside of the house, and there were five entered; they knocked him down and abused him very severely, and by the assistance of his wife he got some weapon, a pitchfork, I believe, and forced the party outside the door, and he kept guard at the door and kept them out. A very short time afterwards, some of his children escaped from the party, and gave notice to their uncles, the brothers of the prosecutor; their uncles came to his aid, and before they got inside the door, they were attacked by the party of yeomen outside, and most severely beaten; one of them had his arm, and another his leg broken. A fortnight elapsed before they were able to apply to the magistrates for informations; I think they complained to me of being refused by one or two; I gave them a letter to a magistrate, a Mr. Hamilton Irwin, and he took, as they told me, their informations, and granted a warrant against the offenders; on this warrant they were taken in a very short time afterwards, and committed to the gaol of Enniskillen by one magistrate, Mr. Irwin, and another, a Mr. Taylor, and the moment they were committed to gaol, though the offence was charged as a capital felony, the same magistrate, Mr. William Gabbett, whom I have before mentioned, discharged them immediately on bail; Mr. Gabbett went to the gaol and discharged them. They were tried some time afterwards; the jury were Orangemen every one of them. The case was very strongly sustained by the prosecution; but with very little hesitation the men were acquitted. I thought it a case of very great hardship, and advised him to petition Parliament, and pray relief; and he did petition Parliament, and laid the whole of his case, a most distressing case, before Parliament.

7341. Have you got a copy of that petition?—I have not it here; Mr. John Smith was the gentleman who presented the petition to Parliament at the instance of M'Custer. I recollect the decision the House came to was, that they could not relieve the poor petitioner; and Mr. Smith sent me some money. I sent the petition to Mr. John Smith, and he presented the petition; and he sent me some money to give to the man, and expressed great regret he could not afford him justice.

7342. Do you mean Mr. John Smith of London?—Yes; he was then Member of Parliament, and presented the petition.

7343. Were you counsel for the prosecution in the last case?—Indeed I was; I was counsel in all those cases.

7344. Were there any trials took place as to outrages at Emishmore and Edderney?—There were; but it will take a considerable time to go into them. In almost all those cases I was obliged to apply to the Government to compel the administration of justice, the county magistrates having refused to interfere; the Government in all cases always gave aid to injured people by sending down gentlemen, Crown counsel, to investigate the complaint. I was forced to apply to Government in many cases where the magistrates refused to take informations and grant warrants against the parties for the most serious offences.

7345. The Government uniformly aided?—Yes; the Marquis of Anglesey, the Marquis of Wellesley, and particularly the Duke of Northumberland, in all those cases.

7346. Did you apply by memorial?—I did.

7347. Did you state the difficulty of getting justice from the local magistrates?—I did always state the truth; and the other day almost they gave me assistance.

7348. Your applications were sustained by affidavits?—No; I never willingly mis-stated the facts to the Government, and I think the Government gave me credit for the truth contained in my representations in consequence.

7349. They were sustained by *ex parte* affidavits?—No, by the party complaining;

plaining; it was very seldom on affidavit; the investigation was generally granted on my application, at the instance of the party. I can produce some of the answers to the memorials, if it be requested, so late as the last administration. I made a memorial in case of a murder, which was sent to Lord Haddington, and by the very following post I received a letter from Sir William Gosset. Nothing could be more attentive, and he gave every satisfaction; and by direction of his Excellency offered 100*l.* reward for the apprehension of the murderers. The persons charged are of the name of Armstrong, and I have no doubt of their being yeomen and Orangemen, who have since fled from the country. I believe he is not in the country; but Lord Haddington instituted that investigation.

7350. Whether you applied to Lord Haddington, the Duke of Northumberland or the Marquis of Wellesley, they on every occasion granted an investigation?—Yes, in almost every case.

7351. Would that investigation on the part of the Government have been at all requisite if the local magistrates had discharged their duty?—Not at all; I would not have made the application if the magistrates had done their duty.

7352. That was the sole ground on which you memorialized the Government?—Yes; the Government would have treated me with contempt, if I had not stated the refusal of the magistrates.

7353. Did any trials take place at Monaghan for riot and assault?—There did.

7354. Can you fix the date of those riots?—The trials took place at the January quarter sessions 1829.

7355. Will you state the transaction?—Those were party riots; the name of the assistant barrister was Mr. William Mayne. There was a riot tried before the court; it was cause and cross-cause. The case was sent to the jury by the assistant barrister; they were tried by the same jury, the cause and the cross-cause. There was a strong case made in evidence by both parties; but the verdict the jury gave on the case was this, they acquitted the Orangemen and found the Roman Catholics guilty.

7356. How was the jury composed?—I do not know so much about Monaghan as I do of Fermanagh.

7357. Were you counsel in the case?—Yes; I was brought to Monaghan specially.

7358. Were they an Orange party?—So I was informed; but I do not know the Orangemen so well there as I do in Fermanagh; there were very serious charges on both sides, and the assistant barrister was so convinced that the jury acted erroneously with regard to the verdict as to the Catholics, though there was a very strong case of assault proved against them, instead of imprisoning them for a year or a year and a half, he, the barrister, had he believed the evidence against them, would immediately have sent them into confinement for 12 months, instead of which he discharged them on paying a small fine of a few shillings.

7359. You thought there was a strong case made against both parties, and that both parties ought to have been punished?—Yes; but the jury found the Catholic party guilty, and acquitted the Orange party. On that evening I had myself from the Orange party, a narrow escape from being assassinated. I travelled to Monaghan; the Belfast coach, on its return to Enniskillen, was stopped and upset, and the pole of it was broken by an Orange party, on the way of my return from Monaghan to the town of Enniskillen. They were armed and wore orange emblems.

7360. Were you in the coach?—I was fortunately not, by mere accident; I remained after the trials to dine with a gentleman, and thus I escaped death; but I had a letter from a gentleman who was a passenger by the coach.

7361. Was this at night or in the day?—In the evening.

7362. About what hour?—I suppose about four or five o'clock; it arrived at Enniskillen about eight o'clock.

7363. At what season of the year?—In the month of December. A clergyman, one of the passengers, was dragged out of the coach and asked where was Kernan.

7364. Who was the clergyman?—The Rev. Charles M'Dermott, parish priest of Emyvale, in the county of Monaghan; I have his letter, but not with me at this moment.

7365. Did he state publicly his being attacked?—He did a very short time afterwards, at a public meeting.

7366. Have you his public statement?—Indeed I do not find that I have; I can state the substance of it,

7367. In what way was the public statement made?—It was made at a public meeting of the Catholic Association of Dublin on the 5th of February 1835.

7368. Were you present when he made the statement?—I was not; the coach was detained, I understood from Mr. M'Dermott, for three hours, in repairing the damage.

7369. Were you counsel in the case of The King on the prosecution of the provost of Enniskillen against Nicholas Mulhern and his wife and son, for an assault and riot?—I was.

7370. Will you state that case, and when it occurred?—I have not the date; I think it was not more than a year ago, about a year and a half ago. The indictment was for a riot and assault: when the jury were in the box, I conceived, from my knowledge of them, they would not try the case fairly, and I applied to the court to postpone the trial. I had strong reasons to think the jury were Orange, and not properly impannelled. I saw a number of persons about the dock, sending up men to the jury-box. This was a case of considerable interest, on the erection of a crane, in opposition to the corporation crane, and there was a riot and assault took place. I applied to the bench to postpone the trial. The assistant barrister refused to postpone it, and he was proceeding to try it, when I challenged the array. Mr. Scott was the assistant barrister; he asked me on what ground I challenged the array; I told him on account of the panel not being regularly returned by the sheriff; that there was no officer in the court; that the jury was not returned by the sub-sheriff; and I insisted on the challenge being good, for the cause I had taken. He took a good while to consider it, and I told him that for further reasons that Mr. Auchinleck, the sub-sheriff, was actually on that day doing the duty of clerk of the peace for the county of Tyrone, and there was no sub-sheriff in the court, or in the county, at the time. Of course he then said that my application was irresistible, and the trial was postponed. It was tried at the next sessions, and the people were acquitted.

7371. Did you state this in your objection that the sheriff was not in the county?—Yes, I told him that the jury was not legally returned by the proper officer; that Mr. Auchinleck had got the appointment of clerk of the peace in the county of Tyrone; that he was practising as clerk of the peace in said county, when he ought to have been there; the challenge was held good and the jury not being impannelled by any one were discharged.

7372. By whom was the jury returned?—I believe by the gaoler or some persons about the dock, there was no person there to return it, that has frequently occurred in the county of Fermanagh.

7373. Did you bring this case as one against Orangeism?—It has nothing to do with Orangeism except for the conduct of the sheriff, the defendants were Catholics, and the prosecutor was the provost of Enniskillen, the sheriff was doing the duty of another officer in another county.

7374. Was this at the quarter sessions?—Yes, it was a party case altogether.

7375. How can that be said to bear on the Orange system in any shape or way?—I do not know, except that the parties were Catholics, there was great earnestness to try them by the provost and other magistrates.

7376. That was the connexion you wish to shew between this case and Orangeism—Yes; I do not mean to say there was a party feud about it, but in my mind there would have been no prosecution if the defendants had been Protestants, there is a a great deal too much of partisanship practised by sub-sheriffs and magistrates.

7377. The defendants were acquitted next time?—Yes; at the next session.

7378. By a Protestant jury?—Yes, most certainly.

7379. Were they kept in prison all that time, or admitted to bail?—It was only a trifling assault, but it was quite right that I should state that as I had instructions to state every irregularity I knew of the magistrates and sheriffs.

7380. You have stated that you have been in the habit of memorializing Government on those cases were magistrates have refused to take informations?—Yes, on most cases.

7381. You also stated that every Lord Lieutenant in Ireland, the Duke of Northumberland, Lord Haddington, Lord Anglesey and Lord Wellesley have always paid the greatest attention to your memorials?—They have.

7382. Will you state how many magistrates have been removed from the bench in consequence of those memorials?—There have been very few.

7383. But the memorials were a great many?—Yes.

7384. Will you name any?—I really do not know there were any; yes, Mr. Gabbett was removed as provost only, and I think he got off in one of those cases, the case of Innismoor, through the interference of Lord Enniskillen, but there was an understanding I think between Lord Plunket and Lord Enniskillen, that he, Gabbett, never more was to act in the capacity of provost of the town of Enniskillen, and from that day he never has so acted.

7385. Can you state any others?—I do not know of any others. I have heard of William D'Arcy Irwin being suspended, and that at the instance of Lord Enniskillen his suspension was taken off.

7386. Was that on one of your memorials?—Yes, indeed it was, and an investigation ordered about refusing justice to the Catholics; it was sent down by the Marquis of Anglesey.

7387. Do you mean that in the case of those memorials against magistrates, for refusing to do their duty, by not taking informations when applied to, in the majority of cases those magistrates have not been removed from the bench?—Indeed I do not know that they have; I have known them censured; I have heard of Gabbett's being removed from being the provost, and I have mentioned the case of Mr. D'Arcy Irwin.

7388. Is Mr. Gabbett a magistrate still?—Yes, but he has never been provost of Enniskillen since.

7389. Has he ever acted as a magistrate since?—Yes, indeed, he has; and if it would not be too ridiculous to state, I would mention that he has now got into disgrace with the Orangemen. On the 12th of July instant, he threw down the Orange arches erected across the bridge of Enniskillen, and has turned to the other side now. The Orangemen of Enniskillen on the 12th of July seeing him do this, gave, as I am this day informed by letter, three cheers for Daniel O'Connell.

7390. The fact is, that one of those two magistrates who had been censured, has since turned to the other side?—He has. On the 12th of July instant, according to a letter I received this day, that he, who was always considered an Orangeman, and whom I have seen myself marching in Enniskillen, not falling into the ranks, always at the head of the Orangemen, thinks it better perhaps now to go to the other side, and many perhaps will go with him in these strange times.

7391. You mentioned that some gentleman at one time discharged a man who was charged with a capital felony, and allowed the man to give bail?—Yes.

7392. Was that one of the points on which you memorialized Government?—I did not memorialize against him, but I did on the merits of the case, and preferred a petition to Parliament on the very same case.

7393. In that memorial of course this was mentioned, that he had allowed a man to go on bail that was charged with a capital offence?—No, that was after the memorial went to Government that he acted in that manner.

7394. Was the memorial you presented, after the trial or before the trial?—I am not aware that that case we allude to, namely, that of M'Custer, was investigated by the magistrates at all; I do not know that I memorialized in that case, for the magistrates took the informations and granted the warrant. This is a mistake.

7395. In consequence of your memorials, investigations took place?—Yes, constantly; I will show some of the answers of the Lords Lieutenant to-morrow to my memorials.

7396. But still in the majority of the cases the result has been the same?—It was not a complaint against the magistrates particularly, but that the magistrates had refused to grant a warrant; that the magistrates left the party to his remedy, but the parties were not able to take the remedy, namely, for the parties to apply to the Court of King's Bench by their counsel for a criminal information against the magistrates, but the poor people could not do that.

7397. That has never been done by order of the Crown?—No, Government leave it to the parties.

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7398. The Court of King's Bench has never been applied to for an order to the magistrates to hear those cases?—Yes; I have made an application myself for a criminal information against Mr. Gabbett.

7399. Has that information been granted?—Yes, in part, a conditional order was granted.

7400. What has been the effect?—If it is against a magistrate for improper conduct, a criminal information will go against him, and he will be deprived of the commission of the peace, or tried by a jury, perhaps there will be costs and damages awarded against him.

7401. If a verdict is given against the magistrate, he will be deprived of the commission of the peace; in how many cases have the magistrates been convicted?—Indeed I do not know; the people will not go against the magistrates; I did apply myself, but I gave it up.

7402. In consequence of any criminal information having been laid against a magistrate, has any magistrate been removed from the commission of the peace within your own knowledge?—I do not recollect any information against the magistrates of Fermanagh, except that I applied for myself.

7403. You do not recollect any magistrate being removed, in consequence of a verdict against him, from the commission of the peace?—No; the parties had the power of doing so, but they were afraid of trying the experiment.

7404. Is it not an understood thing that if a magistrate takes bail in a capital felony, that magistrate is transgressing his duty in a most outrageous manner?—Certainly; and if an application be made immediately after at the next term, no doubt, if the party applies for a criminal information, it will be granted.

7405. That is clearly an outrageous transgression of a magistrate's duty; you have given evidence that a magistrate has so done, did you memorialize upon the subject?—Not against the magistrate.

7406. A petition to Parliament was presented against the magistrate, accordingly Parliament said they could give no redress?—Government would not give redress, they would leave the party to the criminal information.

7407. Though the informations waylay a criminal charge of capital felony, is it not a frequent case that the evidence taken may not make out the capital charge?—Under Sir Robert Peel's Act, the magistrates have greater power in some cases now than the Court of King's Bench, for they may now take bail on the examination of the parties, and the King's Bench cannot do that.

7408. That Act was not in existence at the time referred to?—No.

7409. Is it the case in Ireland that an information is originally laid before a magistrate?—Yes; no warrant can be granted without an information on oath.

7410. On the warrant being granted, witnesses are called before the magistrate to establish the case?—Yes.

7411. Therefore, though the original information may go to establish a capital case, it is possible the evidence of the witnesses may not establish a capital case?—Certainly; no doubt of that; it may be false; the magistrate is empowered in many cases to hear evidence only on the part of the prosecution.

7412. In how many of those cases in which you have presented memorials against the magistrates?—I have not presented any against the magistrates to my knowledge.

7413. In how many of those cases in which you have presented memorials in consequence of the magistrates not having proceeded to receive informations, have convictions afterwards ensued?—Frequently; I cannot state in how many at the suit of the——

7414. Will you mention any?—I can mention several that the magistrates have been mistaken; I cannot draw upon my memory for all the cases at the moment; they were very many indeed.

7415. Supposing there is a criminal information against a magistrate in consequence of alleged misconduct, at whose expense has that criminal information been applied for?—At the expense of the parties applying; the Crown will not take it up.

7416. Is it not possible, that in many cases the parties that have been alleged to have been injured by the magistrate's misconduct, are too poor to prosecute the magistrates in the King's Bench?—Yes.

7417. How often has that expense been paid by the Catholic Association?—Never to my knowledge; I never heard an instance of the application by the party in the King's Bench.

7418. Do you not recollect a case of the Catholic Association paying money for prosecutions?—Indeed I have; I recollect getting fifty guineas myself for going from Dublin to Enniskillen, at the time that Mr. Blackburn went down to investigate the riots of Enniskillen. *R. Kernan, Esq.* 27 July 1835.

7419. You mentioned that you had in various cases memorialized the Lord Lieutenant, the direct object of the memorial was to have the case investigated, not for the removal of the magistrate?—Entirely so; but to compel them to perform their duty.

7420. It was not a criminal charge against the magistrates?—No, but for an investigation of the outrages and the facts, and for the Government to direct the magistrates to do their duty, and render the delinquents amenable to justice.

7421. In the case of Lieutenant Hamilton, did you mean to convey to the Committee the idea that Lord Belmore had behaved in any respect improperly, or differently from what a magistrate ought to do?—I meant no such thing, but the very contrary; I know too well the conduct of Lord Belmore on that occasion, and I believe that there is not a purer magistrate in the commission of the peace; I may say a better magistrate; I never heard of his refusing an application from any poor man who applied to him for justice; he is a man of too high a feeling of honour to do so.*

7422. As a professional gentleman, do you mean to throw out that if Lieutenant Hamilton could have been convicted of murder, in that case the yeomanry who fired in consequence of his orders, would not have been equally liable to conviction for murder?—Decidedly, they would have been equally liable in strict law; a soldier, though he is commanded to do an illegal act, is not justified by his having received a command, even from his officer.

Martis, 28° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Randall Kernan, Esquire, called in; and further Examined.

7423. DO you remember the affair of Macken, in the county of Fermanagh?—Perfectly well. *R. Kernan, Esq.* 28 July 1835.

7424. In what part of the county is it?—It is a small village of about half a dozen houses, and within six miles of Enniskillen.

7425. Does the Memorial you hold in your hand state the nature of the facts?—I think it does, and I believe it to be true; I drew the memorial myself, and was present when it was executed.

7426. Was that drawn on informations on oath?—Certainly not; the parties signed it in my presence; I was under the necessity of going to the gaol to see it done.

7427. Have the goodness to state the facts as they appear on the memorial?—The King against Francis M'Bryan and others, charged with the murder of Edward Scarlett, Robert Medlie and George Price, on the 13th of July 1829; some charged as principals, and others as principals in the second degree; they were all found guilty; one of them was hung, and the others were transported, and one of them was acquitted.

7428. Have the goodness to read the document in your hand?—" Copy of Memorial of Francis M'Bryan, and other prisoners, charged with the murder at Macken, to the Lord Lieutenant of Ireland, dated Enniskillen Gaol, 1st March 1830, complaining of the Sub-sheriff of Fermanagh County, Ireland. Ordered, by The House of Commons, to be printed, 16th March 1830. To his Excellency Hugh Duke of Northumberland, Lord Lieutenant General and General Governor of Ireland; The Petition of Francis M'Bryan, Ignatius M'Manus, Bernard

* I think it very probable that not one of the delinquents, in the case of the King *v.* Hamilton, would have been rendered amenable to justice, but for the interference of Lord Belmore, on behalf of his persecuted tenants, who were the prosecutors.

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Bernard Rooney, Thomas Montgomery, Patrick Montgomery, Daniel Murphy, Patrick Carron, Patrick M'Manus, Patrick Rooney and Arthur M'Cawley; Humbly showeth, That we, your petitioners, are prisoners confined in the gaol of Enniskillen, in the county of Fermanagh, since the month of July last, for the alleged murder at Macken, in the county of Fermanagh, on the 13th of July 1829: That some of us are charged as principals, and others as aiding and assisting in the murder of Edward Scarlett, Robert Medlie and George Price at the place aforesaid: That at the last summer assizes held at Enniskillen for said county aforesaid, bills of indictment were found against us by the grand jury of the said county for the said alleged offence: That on being arraigned, we pleaded not guilty, and by order of the learned Judge (the Honourable Baron Pennefather) who then presided in the Crown Court at said assizes, our trials were postponed to the next Commission of Oyer and Terminer to be held in and for said county: That on inquiry into the facts, and being informed of the nature and circumstances of our said alleged offence, we presume your Excellency did not think it necessary to order a special commission to issue to try us: That the affidavit on which our application to postpone our trials was then founded, stated among other things the following facts; namely, that we could not in safety proceed in our trials, in consequence of the effect produced in the public mind, by certain recent resolutions of the magistrates of said county, which were published in the Erne Packet and Impartial Reporter Newspapers, printed and published in Enniskillen, and which tended to prejudge our case, as by such papers herewith sent may appear: That our affidavit further stated in substance, that on the day laid in the indictment, and before the homicide was committed, the Catholics, after the dispersion of all meetings assembled in the morning, were on the evening of said day pursued from a considerable distance to near the place of their respective residence by the Orange party, who attacked them at Macken aforesaid, in said county: That the said party (among whom were the deceased) then and there, and without receiving any provocation, fired at and wounded several Catholics, who in defence of their lives were forced to resist the assault thus made on them, whereby some of the unfortunate assailants were killed: That one of your petitioners named Ignatius M'Manus was then and there severely wounded by the said assailants; that shortly after he applied to William Gabbett, esq., one of the magistrates of said county, to take his information against the offenders, when he, the said William Gabbett, refused his application: That although your petitioners are prepared to prove on their trials, by the best evidence, the fact of their innocence, and that they were driven to resist the murderous attack made on them by the armed party, and save themselves from destruction; yet, owing to the means lately adopted, not only by the masters and members of the several Orange Lodges of said county, among whom we regret to state are still to be found some of the noblemen and gentlemen and magistrates of said county; but also by the improper allusions and misrepresentations contained in certain newspapers recently published in said town of Enniskillen, within a few days only previous to the ensuing assizes, we cannot expect that justice will be impartially administered to us, unless through the humane interposition of your Excellency's government: That unless you will be pleased to direct His Majesty's Attorney-General to give instruction to the high-sheriff of said county to direct his sub-sheriff to empannel fairly and impartially the respectable freeholders of Fermanagh, Protestants as well as Catholics, without any party or religious distinction, as jurors to try us your petitioners, we may at once plead guilty to the indictment: That your petitioners beg leave further to state, that the present nominal sub-sheriff, Mr. Paul Dane, is a young boy about seventeen or eighteen years of age only; that he has no profession, no knowledge or experience whatever in the business of the office of sheriff, but merely holds the situation as the *locum tenens* of his uncle, a Mr. Daniel Auchinleck, an attorney, who has continued for the last four years in succession as the sub-sheriff of said county: That the said Mr. Daniel Auchinleck, during the said four years, has in no instance ever thought proper to return a Catholic freeholder to serve as a juror in any case, either civil or criminal: That during said four years he has conducted himself as a violent partisan of the Orange faction, by declaring at public meetings, that "while he continued to hold the office he would never empannel a papist, or any man whose conscience was kept by his priest:" That in conformity with this improper declaration, he has deprived

deprived the most respectable Catholics in said county of their privilege of acting as jurors: That your petitioners further state, that the delinquents who commenced the riot at Macken on the day and year aforesaid, by pursuing and firing at and wounding the Catholics at said place, with intent to kill and murder them, have not as yet been rendered amenable to justice by the magistrates of said county: That never, up to this hour, have said magistrates held any investigation respecting the conduct of said assailants; and that at the last assizes (strange and incredible as it may seem to your Excellency), some of those well-known and easily identified offenders were actually summoned as jurors by the said Mr. Auchinleck, to attend at said assizes, and observed by your petitioners in the petty jury box, when these your petitioners were called upon to plead to the indictments: That for some time past the same species of foul means which were formerly used previous to the last summer assizes, to poison the fountain of justice, by prejudging the case of your petitioners, and prejudicing the public mind with improper publications, have again latterly been resorted to for the same purpose: That a few days ago the second number of a newspaper, entitled the Enniskillen, or Fermanagh Constitution, published in Enniskillen on Saturday the 20th February, in allusion to the said riots at Macken on the 13th July last, contains, among other things, the following wicked and malicious paragraph: 'Where is the balm promised to sooth the land, &c. &c. Can it be traced in the conspiracy of the south, or shall we look for it in the murderous system of Macken and Derrygonnelly of the north?' That from the frontispiece of this paper, which in its front page exhibit the picture of William the Third on one side, and of one David M'Kinley on the other, this paper would seem to be established by a certain faction for the purpose of rendering party feuds perpetual in the county of Fermanagh: That your petitioners have stated the above facts, in order to demonstrate to your Excellency the almost moral impossibility of their having a fair and an impartial trial of their cause at the ensuing assizes, unless either that your Excellency will have the kindness to interpose in the manner above stated, and thereby save the lives of 19 persons unjustly charged with the highest crime that man is capable of committing; or that the humanity of the learned judge, who shall preside on our trials, may suspend the sentence, should he consider the verdict of the jurors to be against law and evidence, as we have every reason to suspect it will be (from many years experience in the mode of empannelling jurors in said county.) That since last assizes 11 other Catholics have been committed for the same offence of which we are charged, but not one of the Orange party, who were the real aggressors, have as yet been rendered amenable to justice: Your petitioners, therefore, humbly pray that His Majesty's Attorney-General may be instructed to order the sheriff of said county to empannel to the ensuing assizes the respectable freeholders, Protestants as well as Catholics of said county, without religious distinction; and that the Crown Solicitor may be ordered to have informations taken, and bills of indictment sent up to the grand jury at the said ensuing assizes against the several armed persons who commenced the riot at the place aforesaid, on the said 13th day of July last, by firing three guns loaded with ball cartridge, at His Majesty's subjects (your petitioners) without receiving any provocation. Thus only, may it please your Excellency, can the ends of justice be accomplished and the country be satisfied, and the lives of the guiltless be saved. And your petitioners will ever pray. Signed on behalf of himself and the other prisoners, Francis M'Bryan, Enniskillen Gaol, March 1st, 1830. Present, Randall Kernan, esq. barrister at law. Dublin Castle, 9th March 1830. W. Gregory."

7429. Did you witness the execution of that memorial?—I did, that is my signature which is to it; I know that the Attorney-General did write to the sheriff as requested, and that the Lord-Lieutenant did comply in a great measure with the prayer of the petition: the judgment was suspended and the sentence mitigated.

7430. The men were convicted?—They were, and the judgment was suspended until the Duke of Northumberland's pleasure was known: one man was hanged, Ignatius M'Manus; and others were transported for life.

7431. How was the jury composed that convicted in that case?—The jury were composed of Orangemen exclusively.

7432. Then the sheriff did not comply with the request contained in that memorial?—No, the Attorney-General wrote to the sheriff requesting that he would empannel a jury of respectable Roman Catholics and Protestants, without distinc-

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tion, and Mr. Crawford, the high-sheriff, answered the letter; he did not seem to be pleased with the interference of the Crown, and refused to empannel a jury in any other way but the ordinary mode, leaving it to the sub-sheriff to proceed as he thought proper.

7433. Leaving it to the conduct of the young gentleman you named or his uncle?—Yes, a highly respectable young gentleman he is, and conducts himself with propriety.

7434. He is stated to be the *locum tenens* of his uncle?—Yes, he was nothing else, but he is at present sub-sheriff on his own account.

7435. Do you state he said he would abide by the opinion of his uncle?—Indeed, that is my opinion.

7436. He had declared that he never had empannelled a Papist on a jury and never would?—Yes, he, his uncle, did.

7437. What is your christian name?—Randall.

7438. You wrote a letter in 1824 to the Catholic Finance Committee, did you not?—Upon my word I wrote a great many letters.

7439. It is dated Enniskillen, Tuesday, December the 26th, 1824; it is signed Randall Kernan?—I think it is most likely that is my letter; to whom is it addressed?

7440. To Mr. Conway:—" Dear Sir, I had the honour of receiving your letter, inclosing me a copy of the resolution of the committee, approving of the manner in which I executed the trust reposed in me by the Catholic Association. I request, Sir, you will have the kindness to return to the chairman and members of the committee my unfeigned thanks for their highly-valued testimonial of their approbation, attention and favour. You, Sir, are aware that, for the last twenty years of my life, I have zealously been employed in using my humble exertions to procure for the Catholics of that part of the north of Ireland in which I resided an impartial dispensation of our excellent laws; and, although through the management of packed juries and certain corrupt individuals, I have sometimes failed in my endeavours, yet I have always succeeded in procuring for the injured Catholics the sympathy, at least, of every enlightened Protestant in the country. Every case which evinced a denial of justice to the wrongs of the Catholics I promptly and faithfully reported to the unpacked tribunal of public opinion, through the medium of that honest journal the Dublin Evening Post, over which paper, permit me to say, Sir, you have long, with great talent and integrity, presided to the great advantage of the Catholics of Ireland. And I found the result of my labours beneficial to the future administration of justice; for I found there was nothing, not even death itself, that the tyrant, and the bigot and the partisan so much dreaded, as being summoned by a free press to defend their foul and partial deeds. I shall immediately copy my notes of the late trials at Enniskillen, and prepare them for publication, in compliance with the request of the committee, to whom I feel deeply indebted. With sincere regard, I remain, dear Sir, yours faithfully, *Randall Kernan*. To F. W. Conway, Esq."—That is my letter.

7441. You were employed on the occasion of the Innishmore riots by the Catholic Association?—I was. I went down against Mr. Blackburn.

7442. You said yesterday that the Catholic Association did not furnish funds for prosecutions?—No, Sir; on the contrary, I stated that I had 50*l.* for going for the Association.

7443. At that period, in 1824, you stated you had been for 20 years of your life zealously employed in your exertions to procure for the Catholics of that part of the north of Ireland in which you resided, an impartial dispensation of the laws; have you been constantly so employed since that time?—Indeed I have, since 1824, and from that time to this, and sometimes by Orangemen too.

7444. Have you ever been employed by the Anti-Tory Association?—No, I have not to my knowledge.

7445. Are you a member of the Anti-Tory Association?—I am not, I am a member of no association whatever.

7446. Were not you a member of the Catholic Association?—I was a member of the Catholic Association; I do not think I was a member of the Catholic Board; but it is very probable I was.

7447. You were on very good terms with the leading members of the Catholic Association?—Indeed I was on very good terms with my old friend Daniel O'Connell and others, and ever continued so.

7448. You

7448. You have stated that the general effect of the Orange Institution was adverse to the administration of justice?—Yes, I am decidedly of that opinion.

7449. Have you never heard of any other associations in Ireland than Orange Lodges?—Indeed I have of many

7450. You have heard of the United Irishmen?—I have.

7451. You have heard of the Volunteer Association?—No, I never heard of the association you allude to; I have heard of the volunteers of 1802.

7452. Did you never hear of Mr. O'Connell's Volunteer Association?—I never heard of the name in my life before of any such association.

7453. Do you never read the debates in Parliament?—I do.

7454. Did you never read the debate on the Coercion Bill?—I am sure I must.

7455. Have you no recollection of the description given by Lord Stanley of the Volunteer Association, the description taken from Mr. O'Connell's speech at the formation of the institution?—Indeed I have no recollection of it.

7456. Did you never hear that the plan was, that there should be tribunals of armed volunteers, in which persons should have their cases decided before those volunteer meetings, instead of before the ordinary tribunals of justice?—I never heard that before.

7457. Are you not in the habit of reading Mr. O'Connell's speeches?—Indeed I am, but I do not read the newspapers much, nor care much about them.

7458. Do you not conceive there are some peculiarities in the condition of Ireland, that might render it expedient for the Protestants to associate for the purposes of self-defence?—Indeed I dare say there were; there was a rebellion in 1798.

7459. There was Emmett's insurrection in 1803?—Yes, there was.

7460. And there was a French party in 1805 and 1807; Mr. Pitt and Mr. Wyndham stated that?—I do not recollect that statement.

7461. You never read Mr. Pitt's and Mr. Wyndham's speeches at that period?—I remember the landing of the French ships in the mouth of Loch Swilly, after their defeat at the battle off Tory Island in 1798; I was then an officer commanding the fort at the time.

7462. Can you bring to mind the Riband Association in 1802?—Upon my word I cannot.

7463. Did you never read a trial in which Mr. Plunket, now Lord Plunket, described the Riband conspiracy?—I recollect reading his speech to evidence in a case against Emmett.

7464. The question refers to the case of Keenan in 1802?—I do not recollect that speech.

7465. Do you recollect the pastoral address put forth by Dr. D'Oyle against the Riband system, in which he stated them to be in existence, and producing great mischief?—I never heard of that before.

7466. Do not you recollect his cautioning them, that their religion was not to be propagated by fire and sword, like the religion of Mahomet?—I do not recollect; he might have done so; I am sure it was his duty to do so if he saw the necessity for it; and I think he did it.

7467. Are you acquainted with the existence of many Ribandmen in those parts of the country in which you live?—I never knew a Ribandman, neither in the course of my practice nor as a private gentleman.

7468. You have heard that they do exist?—I have, and I have no doubt that there are associations that perhaps come under that description; but in respect to my own knowledge I have not any; and for this reason perhaps, that in the county of Fermanagh the Catholic clergyman refused the rites of the church to any man who became a Ribandman, or who took a secret oath; I know that of my own knowledge; I have heard some of the most respectable Catholic clergymen in the county declare, there was not then one in that county. I have known my brother preach constantly against them, and admonish on the subject.

7469. Do not you conceive there is a considerable degree of disaffection in Ireland towards the British Government?—I do not conceive there is any disaffection in Ireland to the British Government.

7470. Do you conceive Mr. O'Connell and his party and Doctor M'Hale are satisfied with the general course of English policy?—I know very little of Doctor M'Hale; I know more of Mr. O'Connell, and am certain he is not disaffected.

7471. Do you not conceive Mr. O'Connell entertains views which never can be satisfactory to the British public?—I do not believe he entertains any such views.

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7472. Did you ever read Mr. O'Connell's letters from Derrynane?—I have read some; I had some myself from him from Derrynane.

7473. Did you read one headed "Tithes, Tithes, Tithes?"—I do not recollect that in particular.

7474. You do not recollect that, in that letter, he stated that the extinction of tithes was but an act of national justice and of the national debt; and that if he had obtained the remission of two-fifths by the Bill of last year, he should instantly have set himself to work as soon as the first instalment was realized, to obtain the other three-fifths?—I do not recollect that; I do not intermix with political subjects.

7475. Did you read the letter of Doctor M'Hale when he paid the O'Connell tribute?—I do not think I ever read an entire letter of Doctor M'Hale in my life; I may have read passages, a sentence here and there; I am not fond of his letters, or any other Doctor's letters on polemical subjects, and I suppose for this reason, because I do not understand them.

7476. You are not aware that in that letter he stated that he expected this Parliament would sign the legal doom of the Church Establishment?—No, I do not recollect either reading it, or having heard that passage in it; I have very little curiosity.

7477. Having had so little curiosity about the state of public opinion in Ireland, having read so few of those authentic documents, do you conceive you are quite equal to giving a good opinion on the subject of a Protestant Association?—Indeed I do, from my professional practice and experience; but I do not think there is a necessity in Ireland for either Catholic or Protestant Association, or of any other but that of Parliament and the Government of the country.

7478. You do not think, grounding your opinion upon the facts with which you are familiar, there is any necessity for Protestant or Catholic Association; but if you were satisfied by authentic documents that a most powerful Roman Catholic party in Ireland would not be content with less than the utter extinction of the Church Establishment, knowing at the same time that the British Parliament were not considered trustworthy, do you not conceive that the British Government can never adopt that line of policy which will give satisfaction to that party in Ireland, and that therefore there will be always a desire to cast off British connexion?—Sir, there are as many members in that sentence as soldiers in a troop of horse, and I cannot reply to them all at once.

7479. Are not you yourself in favour of the repeal of the Legislative Union?—Indeed I am; I think that measure would be of great service to Ireland.

7480. There were three great objects which the leading Roman Catholic party in Ireland had in view before the passing of the Emancipation Bill: the first to obtain an equality of civil rights, the second to get rid of the Church Establishment, and the third to get rid of the ascendancy of Protestant property; was not that the case?—Not to my knowledge.

7481. Since the passing of the Emancipation Bill by the aid of Liberal Clubs and the influence of the priests, you will admit probably, in the south of Ireland, the influence of numbers has overcome the influence of property?—I do not know, indeed; that may be so; I know very little of the south of Ireland; the majority of the inhabitants of the south of Ireland are Catholics.

7482. At this moment the majority of Irish representatives are in the interest and are favourable to the views, more or less, of the Roman Catholic party?—Indeed I dare say they are; I think they are.

7483. In the event, therefore, of a dissolution of the Union they would constitute a majority in the Irish House of Commons?—I cannot tell that, but it is very likely.

7484. If the repeal took place of which you are desirous, do not you perceive that such a repeal must of necessity lead to a total separation of the two countries?—Indeed I have no such opinion, but hold a very contrary opinion; I would not listen to or harbour the thought of it.

7485. Do you conceive an Irish House of Commons, of which the majority is in the interest of that Roman Catholic party who have given us to understand that they desire the utter destruction of the Established Church in Ireland, can act harmoniously with a Protestant House of Peers and the British King and Government?—I do not know indeed of any party desirous of the destruction of the Established Church.

7486. Would

7486. Would not such a state engine be utterly unmanageable?—How it would work I cannot tell, but I am convinced it would not seek the destruction of the Established Church.

7487. On what grounds, then, have you formed your opinion of the advantage of the repeal of the Union?—Indeed I do not know that I can give an answer to that without more mature consideration than I can now give the subject.

7488. Do you remember the first Orange Lodge in Ireland?—I cannot say that I remember that.

7489. How far does your memory go back in the affairs of Ireland?—My memory goes back so far as forty years certainly.

7490. Were you acquainted with Mr. Theobald Woolfe Toone at all?—Very slight one; I think I marched him a prisoner from Buncrannagh to Derry after the removal of the French prisoners from Lough Swilly.

7491. What situation did you hold?—I was a captain in the Somersetshire Fencible Infantry; I was placed there by the order of Lord Cavan; he was then the officer commanding the northern district; I think that was about the year 1800;—in looking into my notes, I find it was in 1798.

7492. Do you remember the defeat of the French fleet off Lough Swilly?—Very well.

7493. It was a few days before their landing in Lough Swilly?—It was; I was the officer commanding in Buncrannagh.

7494. Was not that the 13th of October 1798?—Upon my word I cannot recollect the precise date, but on looking into my note book I find it was.

7495. Was not it a short period after the landing of the French in Killala Bay?—It was.

7496. Was not it the same year in which the affair of Vinegar Hill took place?—I cannot state the date precisely, but I could in five minutes if I were at my lodgings.

7497. How many years back can you speak to the affairs of Ireland?—Not many years before that I was in England, and previously I was in Jersey a good many years; I had also a commission in the North Devonshire Militia, in England, given me by the Earl of Fortescue in 1794, and encamped with it in Hythe in Kent, and Torbay in Devonshire, and left that fine regiment with great regret to join the Somersetshire, then going to Jersey.

7498. You are aware of the circumstances under which the first Orange Association took place?—I am not, perhaps; I was in Jersey at the time; I recollect it very early, and there was this reason for my remembering it, that there was an effort made to make Orangemen of my own company, in 1800, when I was quartered in Gorey, in the county of Wicklow.

7499 In what year was that?—1800, I think; I was quartered at Gorey at the time.

7500. How many years have you been resident in Ireland?—I have been ever since the year 1797 resident in Ireland; in that year I was ordered to England for a short time, and I was sent on command to pay the discharged men in the several counties; it was a contract between Government and the colonels of the several regiments that they should be discharged in the several counties where they were risen, and I discharged them there accordingly, and returned to Ireland.

7501. Your residence in Ireland has been in the north?—Yes, I was born in the north, in the town of Enniskillen.

7502. Have you been at all acquainted with the existence of a body of men called Ribandmen?—Indeed I never knew one in my life.

7503. You have known of the body?—I never knew one, nor I never knew the body; I know there are a number of persons called Ribandmen, but I have no knowledge or acquaintance with them as such a society; and in my professional capacity I never knew a Ribandman. I have known a great many men in the county of Monaghan go with Mr. John Lawless from Monaghan to Ballybay, and I know they were called Ribandmen, but whether they were or were not of a society called Ribandmen I cannot tell.

7504. Did you ever hear, in the courts of justice, any oath produced called the oath of the Ribandmen?—I have some recollection of it.

7505. When was that?—I recollect the trial before Mr. Justice Jebb, in Enniskillen.

7506. When was that?—I cannot tell, without reference to my note.

7507. Was that produced at the trial?—I think it was.

7508. Have you any doubt it was produced at the trial of Ribandmen?—There was a document produced, called the oath of the Ribandmen; I know a document was produced called the Ribandmen's oath.

7509. Did a conviction follow?—No, the men were acquitted.

7510. Who tried the cause?—I think Judge Jebb or Judge Moore.

7511. Was he on the bench at the time?—It was Judge Jebb or Judge Moore; perhaps it was before him, but I cannot state the time exactly; I have a very bad memory, a shocking bad memory, but the date is not important.

7512. As far as your belief, from your information, and your situation in life extends, do you not conceive there is a very considerable body of men banded together as Ribandmen, or some title of that kind?—Under some title of that kind, I have not the least doubt of it.

7513. Did you ever hear of the Defenders?—Yes, I have, and have reason to believe they were Catholics.

7514. The Peep-o'-day Boys?—Yes, I believe they were Catholics.

7515. The Ribandmen?—Yes.

7516. They were supposed to be Catholics?—Yes, they were.

7517. Then you can give the Committee no idea of the extent of their numbers in Ireland?—Indeed I cannot, according to my opinion; there are very few, if any, in the county of Fermanagh; I believe, from report, there are a good many so called in the county of Monaghan.

7518. On what grounds do you think there are but few in the county of Fermanagh?—Because I never heard of them, and they never spoke to me, as a professional man; never, to my knowledge of that fact; and I speak from the opinion of my brother, who is the Catholic bishop of the diocese of Clogher, who says he knows nothing of them.

7519. Your information of the number of the Ribandmen arises from your brother, the bishop of the diocese?—Yes, with respect to the county of Fermanagh, I know he was always preaching against the formation of any such associations, and that he gave orders to his clergy, at a place of penance, to which Catholics resort, not to suffer any Ribandmen, or other persons bound by secret oaths, to enter the island of Lough Derg.

7520. Were a great number turned back?—I cannot tell that; I have not performed station there myself since I was a boy.

7521. Do you know that there were a great number ejected for being Ribandmen?—I heard there were persons ejected for belonging to secret societies, but as to their numbers I cannot say.

7522. Your brother made this very proper declaration, in consequence of a very large number of Ribandmen being suspected to be in existence?—I have no doubt of it, but as to my own personal knowledge, I cannot speak at all of them.

7523. You never knew any private gentlemen Ribandmen?—No, never.

7524. Therefore it is not probable that the gentlemen with whom you associate can know much of the Ribandmen, who are of the lower order?—I do not suppose that they would; and from the manner in which I spend the better part of my life, I am certain they would make any confession of an illegal association to me. I think they might as soon make it to the honourable Member, Mr. Jackson. I should certainly give information against them, if the matter were treasonable.

7525. The Ribandmen being supposed to be of the lower classes, and the Catholics of the upper classes not mingling with them, therefore the upper classes of Catholics could have very little knowledge of the existence of Ribandmen?—Indeed I think that is very probable, that they have very little; that the higher grade of society would know very little about them, in their capacity of Ribandmen.

7526. In point of fact, the upper classes of the Catholics know very little about them?—Very little indeed, except report.

7527. Whether they extend to a great degree or not, you think they will know very little?—Yes, I never knew any, that I associate with, speak of them, that did not deprecate the evil of the society.

7528. You say there are a great many in Monaghan, according to your information?—Yes, a good many that are called so, I believe there are; as a professional man, one might tell me that he was a Ribandman, but no one ever did communicate to me such a fact.

7529. The principal part of the land in the county of Fermanagh is in the hands of

of Protestants, is it not?—Yes, decidedly, there is very little real estate in the hands of the Catholics, but there are Catholics of wealth and independence.

7530. There are very few Catholic country gentlemen?—Very few.

7531. Are not the grand jury taken from the country gentlemen in general?—Certainly, in general; but I have known Catholics on the grand jury.

7532. May not that be the reason why the Catholics are rarely on the grand jury in the county of Fermanagh?—It certainly may be partly so.

7533. Do you know any gentlemen in the county of Fermanagh, who profess the Catholic faith, of sufficient property to sit on the grand jury?—I have known one, a Mr. M'Guire.

7534. Do you mean Mr. M'Guire, of Tempo, who was murdered?—No, but I have known him to be on the grand jury. He was virtually a Roman Catholic, but that is not the Mr. M'Guire I mean.

7535. What do you mean by virtually a Roman Catholic?—He generally kept a priest in his house, and had, I believe, his children christened by the priest; and he told me himself that he had frequently served mass.

7536. Do you know other gentlemen, besides Mr. M'Guire, of sufficient property to take his situation on the grand jury?—Yes, there is another Mr. M'Guire.

7537. What place does that gentleman live at?—It is not far from Lord Enniskillen's, but I forget the name, just on the verge of the county of Cavan. On recollection, Mr. M'Guire, of Gartnafenagh.

7538. The Catholics of the county of Fermanagh are generally of the middling and lower orders?—Yes; but there are respectable professional gentlemen, and a great many above the lower orders.

7539. Do any of the Catholics of the middling class frequently apply not to be put on the petit juries in the town of Enniskillen?—No. I never heard of that application.

7540. Whether that took place or not, you have no knowledge?—I have not, but I do not think it did.

7541. The magistrates are all Protestants?—No, Captain M'Guire, of Gartnafenagh is a magistrate.

7542. In the county of Fermanagh, there were two magistrates on the bench who were Catholics?—No, only Captain M'Guire, of Gartnafenagh.

7543. Has he been many years on the bench?—Indeed I think he has.

7544. Are you acquainted with the county of Cavan?—Not much.

7545. Did you ever hear in that county that Roman Catholics have been severely beaten in the markets and fairs because they were not Ribandmen?—No, never. I have known a great deal of rioting in the county of Cavan, and was concerned for Catholics at assizes.

7546. Have you ever known of any instance in which a considerable number of Roman Catholics have been beaten at markets and fairs because they were not Ribandmen?—No.

7547. And that they have assigned that as the reason for their being so beaten?—No, I never have.

7548. Do you attend the courts of justice in that county?—Yes, I did repeatedly on trials, but not lately.

7549. Do you mean to say that, during the time you have attended in Cavan, no indictments have been presented against men under those circumstances?—I do. I recollect a case where both parties lodged informations against each other for a riot, and the magistrates had a doubt who were the aggressors; they took the informations on both sides.

7550. During the time in which you have attended the courts in Cavan, you do not recollect any case, in which this evidence was taken, that the parties had been beaten being Roman Catholics, because they were not Ribandmen?—Indeed, I never did hear any such thing.

7551. Do you mean to say you do not recollect it, or that such a case never took place?—How could I say that? all I can say is, that I never heard it.

7552. Were you present at the trial for the affair at Macken?—I was.

7553. Was Judge Pennefather the judge who tried that?—He was one of the judges at the summer assizes when the trials were postponed by him, for the grounds laid in the affidavit.

7554. Was it a special commission?—No, it was not; but the judges that

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came down to try it at the spring assizes were Mr. Justice Jebb and Mr. Justice Vandeleur.

7555. Are the Committee to understand that there was more than one judge on the bench when those men were tried?—There were two at the adjourned assizes. (In giving my evidence on this question I was confused, not recollecting this fact, namely, that at the spring assizes, 1829, Baron Pennefather and Justice Vandeleur were the judges who presided, and the trials were postponed. At the ensuing summer assizes, 1830, Mr. Justice Jebb and Mr. Justice Vandeleur were the judges; but, after trying several of the prisoners, they adjourned the remaining trials to the 8th of April 1830. I have made the correction on reference to my notes.)

7556. Mr. Justice Jebb sat in one court and Mr. Justice Vandeleur in the other?—No, there was no civil business at the adjourned assizes; they adjourned from Derry to Enniskillen.

7557. Was there one judge sat on the bench or two when they were tried?—One judge, certainly; two at the adjournment.

7558. Who was that?—Judge Jebb and Judge Vandeleur.

7559. Are you quite certain it was?—Judge Jebb tried prisoners at the summer assizes, and both judges presided at the adjournment.

7560. Were there any convicted?—Yes, there were.

7561. Was one man executed?—Yes, Ignatius M'Manus.

7562. Who tried the man that was executed?—Judge Jebb.

7563. Were you counsel for the prisoner?—I was.

7564. You say that the jury were all Orangemen; were you personally acquainted with all of them?—No, I was not.

7565. Were you personally acquainted with any of them?—I am sure I was, but I cannot point them out at present.

7566. Did you know at the time, or have you known since, that any one of the men on the jury was an Orangeman?—No, only from their character, their party appearance.

7567. You stated that the jury were composed of Orangemen, but you have no evidence whatever to prove that any one of the 12 was an Orangeman?—I have never been in an Orange Lodge.

7568. Can you say whether there was any one of those jurymen an Orangeman?—Only by repute, the opinion of the whole county, and the practice of the sheriffs not empannelling any men but Orangemen.

7569. Who were the jurymen?—I cannot tell at five years' distance.

7570. Can you take upon yourself to say that any man ever told you those 12 individuals on the jury were Orangemen?—Indeed, I heard the attorney say so.

7571. The attorney on your side?—Yes, and I heard others say so, that were present at the trials.

7572. Is it not a very common thing among the common people to call every Protestant an Orangeman?—Upon my word, I believe it is very true, there are but few exceptions in Fermanagh.

7573. Do you not know there are a vast number of Protestants in the north of Ireland who are not Orangemen?—There are some who are not Orangemen, but I think very few.

7574. Then you know of those gentlemen being Orangemen only from what you heard in the loose conversation of others, without fixing on any individual personally?—But if I had my note-book here, I could give the names of them.

7575. Was any man of those 12 men upon that occasion pointed out specifically to you as an Orangeman?—Indeed, I am very sure there were, and that I knew several that were on the jury, though I cannot give their names now; I have seen them marching in procession; I have no doubt at all of the fact.

7576. Can you mention the names of any of those whom you have seen marching in procession as Orangemen?—No, not those that were on that jury, I cannot; the practice of the sheriff and his declarations would satisfy my doubts.

7577. All you know of their being Orangemen is, you have heard it from some one else?—Yes, for I was not one myself, and am ignorant of their ceremonies.

7578. Does that same observation apply to the other juries you have given evidence about?—Yes; I cannot tell whether positively that they were sworn members,

members, unless I saw them in the lodge room; I can tell when concerned in a cause, and hearing the talk of the Catholics, that they are Orangemen: it is a common thing in Fermanagh that all the juries are Orangemen; it is said that the verdict is not to be wondered at, because they were all Orangemen.

7579. Would you consider a Protestant holding strong, and what you would call violent Protestant politics, to be as objectionable a man on a jury as a person who is a member of the Orange society?—That is a matter of opinion; I am sure there are highly respectable gentlemen, Orangemen and Protestants, that I should not be afraid to be tried by.

7580. Would you consider a violent Protestant, who is not an Orangeman, to be as objectionable a person upon a jury, either grand or petit, as a member of the Orange Society?—Indeed I should, if I knew of my own knowledge that he was either a bigoted man or a prejudiced man.

7581. You are aware, however, that persons who are of what are called Orange politics, are sometimes denominated Orangemen, without belonging to any lodges?—Indeed I dare say they are.

7582. Do you recollect, in a speech made by Mr. O'Connell at the Anti-Tory Association, he declared, that if a man voted for the Knight of Kerry, he might deny himself to be an Orangeman, but there was no doubt he was an Orangeman?—I cannot say any thing of that; I never was at a meeting of the Tory Association.

7583. It must be difficult, as you never attended the lodge, for you to say, in your opinion, whether any particular individual is an Orangeman?—Quite impossible to say positively, but from strong circumstances one can form a belief.

7584. You were in the army before you came to the bar?—I was, and I wish I had not left it.

7585. Were you long in the army?—I think I was five or six years in the army; I was a lieutenant in the North Devonshire Militia in the year 1794.

7586. You have always been engaged in assisting, in your professional character, the Roman Catholic cause in Ireland?—I have.

7587. And especially engaged in those matters coming forward in the cases where Orangemen might be the accused parties?—I was; as to all the riots almost they came to me, being a Catholic, from their prejudice, thinking that I should be honester to their cause, foolishly thinking so, perhaps than an Orangeman.

7588. With respect to Orangemen, you know perfectly well that is a phrase used in a very loose sense, designating any man whose principles are not Roman Catholic?—Indeed that is frequently the case.

7589. Whenever a Roman Catholic attorney, or some of the Roman Catholic spectators, say that the jury is a jury of Orangemen, you do not understand by that, that they mean that they are persons who have been sworn as members of a lodge?—No, I do not.

7590. What is meant by it is, that they are persons of Protestant politics?—The objection to that is, that the juries, for example, in the county of Fermanagh were, in almost eight instances out of ten, composed of men either resident in the town or the neighbourhood, who are almost always jurors, and well known to belong to those societies.

7591. The question is with reference to the sense in which the word Orange is used in Ireland; is it not used to designate persons whose politics do not coincide with the Roman Catholic politics?—Indeed I dare say it is; no doubt they essentially disagree.

7592. For example, do you not think they might call Mr. Serjeant Jackson an Orangeman in some cases?—Indeed they might, but I would not believe them, unless I saw them dressed in an Orange silk gown, or wear an Orange emblem.

7593. And the other gentlemen at the bar, who are not Orangemen, but whose politics were Protestant?—Yes, I never knew, of my own knowledge, any gentleman at the bar who was an Orangeman; but if I saw him in procession, I would not doubt the fact.

7594. Your practice has been principally in the criminal court, and not much in the civil court?—Just so.

7595. Have you been much engaged in the business of the Four Courts?—No, for many reasons; the loss of my teeth was one reason; I never could bear to go into the civil courts, from the defect in my speech.

7596. Without meaning the slightest disparagement, do not you feel you are not

not the most impartial description of witness that could be got upon this question, as to the Orange societies?—Upon my word, I do not think there could be got a more impartial witness in the kingdom of Ireland, or a fairer one than I am.

7597. Take this with you, you know that human nature is very apt to take biasses according to associations?—I know a good deal of human nature.

7598. It is a very useful thing to learn?—Yes, worth all the sciences and all the saints.

7599. Do not you think that men take little biasses according to the associations they may form?—Yes, I might have done so myself, but I certainly do not accuse myself of it.

7600. Do not you think it possible you may have a little bias?—It is not impossible, but I could not be conscious of it.

7601. Do you not think that a witness more out of the reach of temptation might have been selected?—I do not think that it is possible to select a witness, either Catholic or Protestant, that would more strictly adhere to the truth; I have no temptations to bias my integrity.

7602. Have you not been in the habit of publishing matters in the newspapers?—Yes, I have.

7603. Not merely reports of trials, but little essays?—I have; after leaving the army, I was under the necessity of resorting for independence to the press; I had no property saved after I lost my company, and had not the means of living but by the exertion of very slender talents, and I reported for several years for the Evening Post; I also reported the trials of the Caravats and Shanavahs in the south of Ireland in 1810, and I was paid very handsomely for it. Government published 1,000 copies of my report; they were also published in the Evening Post.

7604. That was for Mr. F. N. Conway?—No, it was not, but for one of the best men living, the late Mr. John Magee; I had nothing to do with Mr. Conway; Mr. Magee paid me a handsome yearly salary.

7605. Have you not corresponded with him on politics?—I have.

7606. Besides reporting those trials for publication, you have likewise written essays on politics and published them in the papers?—Very few.

7607. Did not you publish under the name of "An Old Soldier?"—Yes, and very truly; I wrote several good articles under that name, right good articles, that I am not now ashamed of.

7608. Were not those excellent articles under the signature of "An Old Soldier," attacks on the magistracy of the county of Fermanagh oftentimes?—Indeed they were, and of Orange anniversaries; I am certain they deserved it, and the "Old Soldier" did not spare them.

7609. The Old Soldier was very determined in his attack, and very sure in his aim?—Indeed he was; he never exceeded the truth.

7610. And attacking the grand jury of the county?—Yes, in every thing he thought merited reprehension.

7611. Did you ever happen to attack the Roman Catholic Association in those essays?—Never; they were not magistrates, nor Orangemen, nor grand juries; if so, and they deserved it, the Old Soldier would not have spared them.

7612. Did you ever attack any thing connected with Roman Catholic politics in them?—Never to my knowledge.

7613. That has not been your design?—I have had nothing to do with the press for many years.

7614. As to the state and condition of your mind, you are at this moment in a state of as perfect impartiality and neutrality as you were at the time you were taking your aim as the Old Soldier at the magistrates of the county of Fermanagh?—Upon my word, I am exactly, because I would report them to-morrow, and will report them again whenever they deserve it, and report them fully and fairly when they do not do justice to the Catholic, as I told the chief justice about the trial above alluded to, "We have had no other means to put down outrage but by informing the public mind of the party outrages."

7615. You were aware of the United Irishmen?—Never was one in my life.

7616. You were not aware there was such a society?—I was aware there was such a body in 1793.

7617. The question is not historically, but did you not live in Ireland yourself?—No, not at the time; I left Ireland in 1793; I imagine that was nearly about the time of its formation, and I returned the latter end of 1797.

7618. Do you mean to say there were no United Irishmen in Ireland in 1798?—Upon my word, I am sure there were numbers of men called by that name, but they were under a secret oath, and not all Catholics.

7619. You are not asked as to your personal knowledge of their oath, or their association, but with respect to the fact of the existence of a body of United Irishmen operating in Ireland as a United Society?—I have not the slightest doubt of it.

7620. That it was very extensive?—Yes, that it was very extensive.

7621. And extremely mischievous?—And extremely mischievous.

7622. Seditious?—Yes, and seditious.

7623. Rebellious?—Yes, and rebellious.

7624. You have no doubt there existed also a body termed the Roman Catholic Board?—Not the slightest doubt.

7625. Who took an active part in public with Mr. O'Connell?—Several took an active part with Mr. O'Connell, and Mr. O'Gorman and Mr. Shiel too took an active part; I am not acquainted with whom the others were.

7626. Was there likewise the Roman Catholic Association?—Yes.

7627. Who were ever agitating and pushing the Roman Catholic cause?—Certainly.

7628. Was there likewise an association called the Volunteers?—I have no doubt in 1782 there was.

7629. The question refers to the subsequent Volunteers?—No, I never knew of any other than that of 1782; of others I know nothing.

7630. Have you heard of the Anti-Tory Association?—Indeed I have.

7631. Of the order of Liberators?—Yes, but I am not one of them.

7632. Did you ever in those essays attack the United Irishmen?—No, never; they had ceased to exist before I wrote the essays.

7633. When did you write the essays?—I did not begin writing them till I was called to the bar in 1804; my means were very much exhausted; I had just money enough left to be called to the bar after leaving the army.

7634. There was a rebellion in 1803, or an insurrection?—There was.

7635. There was a very extensive disaffection in Ireland at that time?—There was.

7636. That continued after 1803 till 1804?—Indeed it did, a very dangerous one.

7637. We were all bearing arms who were loyal men in 1804?—I do not know that myself; there was the Lawyers' corps and several others.

7638. And a Catholic corps?—Yes, I think there were.

7639. During the time we were in this state in Ireland, did you ever direct one of your essays to this extensive and pernicious confederation that was convulsing the country?—Not in 1804 I did not, but afterwards.

7640. Did you ever at any time denounce with your tongue or your pen those treasonable associations?—I was not in Ireland at the time.

7641. In 1804 you were there?—Yes.

7642. Did not you do that in 1804 or 1805?—No, I never did it at any time.

7643. Your impartiality consists in attacking one side altogether, and leaving the other unimpeached?—Perhaps I thought that, at that time, one side only was deserving of it.

7644. You do not think it a treasonable thing to associate against the country?—I knew one side better than the other; I think it highly improper.

7645. Do you mean to say you were ignorant of the treasonable description of the association in 1804?—Indeed I was, though that in 1803 the last.

7646. You were ignorant that that was a wicked association?—No, Emmett's association I know was a very wicked association.

7647. Then it was not your ignorance of its wickedness which prevented your attacking it?—I merely know that it united in 1803.

7648. You used to write in the Erne Packet?—I never did write many essays in the Erne Packet, except very trifling ones; but that was without money.

7649. Did not the Old Soldier make his appearance in the Erne Packet?—I cannot tell indeed; I wrote under the character of the Old Soldier in the Patriot, and in the Evening Post, and in the Pilot.

7650. You have said that the existence of Orangeism in Ireland impedes the administration of justice altogether?—Indeed I think so; I am certain of it.

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7651. Were you ever present at the trial, in which a man, who was an Orangeman, was tried for his life, and convicted before a jury of Orangemen?—I was.

7652. What was that?—The prosecution of Captain M'Guire against Rutledge; he was tried, convicted and executed.

7653. Was not Rutledge an Orangeman?—I believe he was; I have not the least doubt he was an Orangeman; but it is only from public report.

7654. But he was convicted by a jury of Orangemen?—Yes; the judge, Baron M'Clelland charged strongly against him.

7655. You have no more knowledge that that jury was a jury of Orangemen, than with respect to other juries in the county?—Not a particle; I have not a doubt of it, but they recommended him to mercy at the time they returned their verdict. Baron M'Clelland tried him and he refused to report favourably, and I recollect the foreman of the jury, whom I knew, but I cannot now recollect his name at the moment, went afterwards to the unfortunate man to make an apology for convicting him; they went into the gaol and begged his pardon; they having no doubt that mercy would have been extended to him.

7656. Were you there?—I was not, but it was reported.

7657. Who told you that?—I do not recollect; it was generally spoken of.

7658. Did the man who told you tell you he was there?—No; but it was a fact well known.

7659. Did he tell you who told him the story?—Indeed I do not recollect that.

7660. Did he tell you he had not invented it himself?—No; I believe the grand jury petitioned the judge to report favourably to Government, and he refused to report favourably, and the jury made an apology to the poor man under sentence of death for convicting him, being in hopes of his receiving pardon of them and the grand jurors' recommendation.

7661. We find you guilty, and you are sentenced to be hanged, and we beg your pardon?—Yes; but they had no notion he would be hanged.

7662. In truth, you know nothing at all about the apology?—No; no more than that every one was talking of it and believed it.

7663. Who was every one?—The bar had no doubt, among others.

7664. Did you hear the bar talking about it?—No; but it was so laughable and so absurd and comical, every body was talking of the apology made to the poor man that was to die.

7665. Do you think there are no things that are comical and ridiculous that are not true?—I think there are many things that are comical that are true, and many things tragical too true.

7666. You have no other ground for saying that this thing occurred?—I had not the slightest doubt of it; I will put the entire credit of my whole testimony upon the fact.

7667. Of which you know nothing?—Of which I know that I heard it from 20, I am sure I heard it from 20.

7668. Will you give the name of any person who told you of it?—I believe that the parish priest told me of it, but I am not certain of that; it is a long time ago, and it was a matter I was very indifferent about, but I was very sorry for the man.

7669. He told you of it as a ridiculous thing?—The whole inhabitants were laughing at it.

7670. It is like the hangman making an apology to a man when he is putting the rope round his neck?—I think it was even more ridiculous than that, but it is true.

7671. You have not the slightest doubt of it?—Not the least; if there is any Fermanagh man in London, I have no doubt he would tell the same story.

7672. You are just as certain of this fact as any other you have deposed to?—Perfectly so, inasmuch as every man talked of the folly of it, and ridiculed the jury.

7673. You have quite as good evidence for this fact as you have for any thing you have stated?—Yes, I have quite as good evidence of it, though I cannot recollect the names.

7674. Did the parish priest tell you he was present when it happened?—I cannot say that he was the person who told me, but I fix upon him as being a person going to the gaol, and most likely to tell me.

7675. Did

7675. Did he tell you he was in the gaol when it happened?—I cannot recollect that he did.

7676. If he was the person who told you, did he tell you from whom he heard it?—He must have known it, because he had daily intercourse with the gaol; he must have known so remarkable a fact, either from the gaoler or some persons that were in gaol at the time.

7677. Did he tell you he knew it from the gaoler?—No, I cannot say that he did.

7678. Would you find a verdict yourself on such evidence as that, if you were a juror?—I do not know; if I was as certain of it as I am of that fact, I certainly would not hesitate; I do not know any more certain, in my opinion.

7679. If an Orange jury refused to convict a prisoner upon that species of evidence, should you consider that the jury were acting contrary to the principles of justice?—What species of evidence do you mean?

7680. The species of evidence that satisfies your mind respecting the truth of this fact?—I really do not understand the question; I have given it many answers.

7681. If an Orange jury were to refuse to convict a prisoner upon the species of evidence which has satisfied your mind of the truth of this fact, should you conceive they were acting decidedly contrary to the principles of justice?—If they held the same opinion upon it as I do, I think they would.

7682. You have been, since you were called to the bar, continually acting as counsel in these party cases?—I have been.

7683. Counsel are very apt to get ardent on the side of the party whose cause they espouse?—Yes, no one more than the honourable Member, Serjeant Jackson, himself.

7684. How many years altogether have you been undergoing this discipline towards impartiality?—I think I have been impartial all the years of my life.

7685. How long is it since you commenced acting in your professional capacity as counsel in these party causes always on one side?—It is a long while.

7686. Since 1804?—I cannot tell; I was very sorry when I left off.

7687. You began in 1804?—Not quite so soon as that; I was called to the bar in 1804, but they would wait awhile before they would trust me.

7688. But you began soon after?—Yes, as soon as they knew me, they began to trust me.

7689. You have not only exercised your talents in favour of these persons, but you reported the cases very often?—I have very often; I reported the case of the Caravats and Shanavats for Government.

7690. You have reported others in which you have been concerned as counsel for the Roman Catholic Board?—I have.

7691. And you have likewise written pamphlets upon those trials?—I have reported the cases in the form of pamphlets.

7692. And the political results of them?—Very likely I have.

7693. You have been very often paid for your professional services by the Roman Catholic Association and the Roman Catholic Board?—I have. I never did any thing without being paid, and never will.

7694. You were paid very liberally by them?—Yes.

7695. They had very large funds for that special purpose?—Yes, they had, and could not better employ them.

7696. And you got your share of them?—Yes, a very good share, and I well deserved it.

7697. You were retained by the Roman Catholic Board?—I was.

7698. You were very sorry when those trials ceased?—Yes, very sorry to lose my fees; who is not? but I should be glad they had ceased so far as the peace of the country is concerned; I was very glad to receive my fees.

7699. Were any of those cases in which you were professionally concerned cases in which persons were charged with being Ribandmen?—I recollect one case, before Judge Moore, of a man being charged as a Ribandman; I was concerned for the person charged.

7700. Were you in the habit of going to other towns, or was your practice confined to Enniskillen?—I went to every town on circuit but Longford.

7701. Did they convict only in one case Ribandmen for whom you were concerned?—I did not go to Cavan for some time past; the circuit became very bad

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bad and unprofitable, and it was not so profitable for my own business; it was not pleasant going where there would not be more than a single record.

7702. Is the case you refer to, the only case on the north-west circuit in which you were concerned for a person charged as a Ribandman?—I do not recollect any others charged as Ribandmen; the prisoner was charged not for being a Ribandman, but for administering illegal oaths.

7703. Do you recollect, in the case you have referred to, the Ribandman's oath being produced?—I think there was a document to that effect, containing the oath produced.

7704. By a common informer?—Yes, it appeared the prosecutor was a common informer.

7705. To whose evidence credit was not attached?—Yes, the jury did not believe him: the prisoner was acquitted.

7706. Are you sure he was a common informer?—Yes, the man's name was Love. An unfortunate man of the name of Noone, an informer, was killed some time afterwards.

7707. Do you mean, a person whose trade it was to give informations?—Yes, both those men; he made a trade of it, and afterwards Love confessed he had been a common informer, and went to the public places of Catholic worship, and declared that he had given false evidence to the magistrates, and informed them erroneously very frequently.

7708. He, as well as the jury, made an apology for giving evidence?—No, he was too serious to make an apology like that.

7709. Did you say Mr. D'Arcy Irwin was suspended as a magistrate?—I did not.

7709*. Nor that he was dismissed as a magistrate?—No; I stated that I heard he was suspended.

7710. Did you add that Lord Enniskillen had prevented his suspension or dismissal?—I heard that Lord Enniskillen interfered in his behalf, and that he was restored.

7711. Do you mean to state that as a fact?—No, I do not know it from my own knowledge; I assert I have heard it, and believe it.

7712. Can you state from whom you heard that fact?—I heard it from several; there was a Mr. Cummins, the barrister; I asked him the fact.

7713. What fact did you ask him?—Whether D'Arcy Irwin was suspended. Mr. Cummins had got a place in the Hanaper Office, and I wanted him to inquire; the clerk in the office could not tell me whether or not he had been suspended, but it was a common report in Fermanagh that he had been suspended, and had refused signing affidavits in consequence.

7714. Did you inquire from Mr. Cummins whether Lord Enniskillen had interfered?—Indeed I did not.

7715. The former question was, whether it was the fact that Lord Enniskillen interfered?—I have a wretched memory, and I can only speak of the fact from hearsay.

7716. Do not you think you ought to be cautious in attributing that to him without the slightest cause for it?—That is a mistake; I do not impute any thing to him; I do not know a higher character in society than Lord Enniskillen, or a man for whom I have a greater respect; his conduct in the Macken case showed that nothing whatever could exceed his impartiality, kindness, and his conciliatory conduct to the people, and the manner in which he exerted himself to preserve the peace on the 13th July 1829. There were, according to his lordship's evidence, about 2,000 persons assembled at a place called Derrylen, near his house; the moment he heard the circumstance he repaired to the place where the people assembled, and besought them to disperse and return peaceably to their respective homes. He told them he had been a good landlord, that he never turned out a man from his estate on account of his religious belief, and that they knew he was a friend of the poor. The people assembled were quite pleased with his lordship's address, and said they would do as he desired, on certain terms, and they entered into stipulations with him: all they requested of him was, to prevent the Orange procession through the county on that day by the Orangemen, and that he would order them to take down the flags which were flying all round the country, and to give up the procession upon that day, and that they would retire peaceably. Lord Enniskillen agreed to these terms, went immediately to the Orangemen,

Orangemen, and brought the police officers with him; he went round where the flags were, and insisted upon their being removed, and they were removed accordingly. He then got the assistance of the parish priest, the Rev. Mr. M'Hugh, and he and Mr. M'Hugh assured the Catholics that no procession should take place. The Catholics altogether retreated; they all went away peaceably to their respective homes, and then it was that the Orangemen dispersed too; but the misfortune was, that in the evening of that same day, when the Orangemen got tipsy, they went, armed with guns and bayonets, to the village of Macken, and there the battle commenced, which terminated in the manner before stated.

7717. Lord Enniskillen is a resident landlord?—He is, and there is not a better one in Ireland.

7718. An exceedingly beneficent man?—Yes, and an excellent gentleman.

7719. No one can bear a higher character than his lordship does bear?—No one in society can bear a better character, and no one better deserves it, to my knowledge.

7720. You consider him a very exemplary character?—Yes, I do, and an impartial magistrate.

7721. Is he not a high functionary in the Orange society?—He is; but I never knew him to attend the processions, and I always heard he condemned them.

7722. You have mentioned frequently its being stated that he had interfered to prevent the dismissal of Mr. D'Arcy Irwin?—No, not once; I only said that I heard that he did.

7723. Did you say that you believed it?—Indeed I did not, to my knowledge.

7724. Do you believe it?—Indeed I still believe that he was suspended, and I was told that he refused to sign affidavits, and said he could not sign them, and I believe Lord Enniskillen interfered.

7725. Who did he interfere for?—For D'Arcy Irwin, after the time he was charged and tried for having taken the arms from the Catholics in the month of September 1831.

7726. Are you not quite aware that it is one thing whether Mr. D'Arcy Irwin was suspended or not, and another thing whether Lord Enniskillen interfered in the matter?—The impression upon my mind is that he was suspended, and that his lordship interfered to have him restored.

7727. Do you likewise believe that Lord Enniskillen interfered to prevent it?—Indeed I do; how many times am I to answer this question?

7728. Why do you believe that Lord Enniskillen interfered to prevent it?—From having heard it from many persons.

7729. From what persons?—I cannot say; I took no note of their names; I am perfectly well acquainted with the one fact, but not with the other; I know I heard it from several, but I cannot say who they were.

7730. Is it your opinion that Mr. D'Arcy Irwin ought to be suspended?—Certainly, it is my opinion.

7731. Is it not your opinion that any one ought to have interfered to prevent his being suspended?—I can only say if I were Lord Enniskillen I would not interfere under the circumstances; I think D'Arcy Irwin did a great deal of mischief in the country by taking the arms from the Catholic yeomen; he is at the head of every Orange society, and of every procession, and I have seen him insult even the Judges in a court of justice when sitting on the bench, by coming to the front of the grand jury box decorated in Orange emblems.

7732. Do not you think it would have been very proper to remove or suspend Mr. D'Arcy Irwin?—I do, indeed, and think he ought not, from what appeared at the investigation, to be restored.

7733. Do not you think it would be an improper thing to prevent the thing being done?—I do think it ought not to have been done.

7734. Then, recollecting the panegyric you have pronounced on Lord Enniskillen——?—Yes, I recollect it, and a very just one too.

7735. Recollecting the justness of the panegyric——?—No one, Catholic or Protestant, in the county, can deny it.

7736. You recollecting that, do not you think it would have been the proper course for you to have satisfied your mind on legitimate evidence that Lord Enniskillen had interfered in the case of Mr. D'Arcy Irwin before you stated the fact?—Electioneering matters do sometimes induce persons to do things a little out of the way of strict morality, and that are not considered as very improper.

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7737. There was no electioneering matter to prevent you making the inquiry?—No.

7738. Are you in the habit of believing things to the disadvantage of persons of whose character you have the highest opinion, without seeking to satisfy yourself?—No, indeed, I am not, and I got evidence to satisfy myself, and I asked an officer of the court whether it were true or false.

7739. Did you ask the officer of the court whether Lord Enniskillen had interfered?—I cannot say that I did; I do not think I did.

7740. Did you get evidence as to Lord Enniskillen's interfering?—No, but I do declare of my hearing the fact of Mr. D'Arcy Irwin being suspended.

7741. His being suspended is one thing, and Lord Enniskillen's interference is another?—I do not state that he had interfered, but that I heard and believed it, and that firmly, and which I now do.

7742. You believe it from common report?—I do.

7743. The Committee wish to have a fair impression of the state of your mind, and the way in which you arrive at your conclusions, to form a proper estimate of your evidence; do you not think it would be becoming in you, when you heard of a thing to the disadvantage of a man of whom you entertain the highest possible opinion, to take some pains to ascertain what the matters of fact which it was founded on were, before you gave credence to the statement to his prejudice?—The preface to the question is quite unnecessary; once more I tell you I believe it, and I did make an inquiry respecting the fact, and was told on current belief that it had been so, and since your cross-examination I now recollect a person that told me that he was present when he, D'Arcy Irwin, refused to sign affidavits.

7744. When who refused to sign affidavits?—D'Arcy Irwin, as a magistrate.

7745. Does that prove Lord Enniskillen's interference?—No, I never made inquiries as to Lord Enniskillen's interference, except what I have often repeated.

7746. How do you reconcile it to your mind to give evidence affecting the character of that distinguished nobleman without making inquiry?—I have no great interest in the matter; his character will never be injured by me without cause; I have not attempted it.

7747. Do not you think it would interfere with his character to say that he had interfered to prevent the suspension of a magistrate?—I never said yet that he did interfere.

7748. Mr. D'Arcy Irwin is a man of large property in the county?—He is.

7749. He is a member of the Orange Society of which Lord Enniskillen is the head?—Yes, he is; but their conduct is very dissimilar.

7750. Is it a fact that Mr. D'Arcy Irwin is a very strong supporter of Lord Enniskillen's views in elections?—I cannot tell indeed. Sometimes he was not. His father-in-law, the late Sir —— Brooke, has been a candidate.

7751. Are you aware that Mr. D'Arcy Irwin has been, on more occasions than one, most violently opposed to Lord Enniskillen in that respect?—Indeed I believe he was; but I cannot tell who told me that either.

7752. Therefore he cannot have been influenced by election motives to get the dismissal of Mr. D'Arcy Irwin prevented?—I do not know the fact, but I have heard that.

7753. Your opinion is, that the present system of Orangeism in Ireland is very prejudicial to the state of that country?—Yes, most decidedly.

7754. You think it ought to be put down by legal enactment?—I do.

7755. Do you think the present law is not sufficiently strong to put it down?—I do think it is not.

7756. What, in your opinion, should be the nature of any law which should be framed?—I cannot state that without consideration.

7757. Do you think a legal enactment should be addressed directly to the putting down the Orange system in Ireland?—Yes; and every system of the kind in Ireland, Riband and Orange, and every other.

7758. Do you think other societies of that kind are equally prejudicial to the peace of Ireland?—Yes; I cannot see any great distinction.

7759. And that they ought to be put down with a strong hand?—Yes; by legislative enactments.

7760. Do you think the Government have it in their power to put down all associations or societies whatever at the present time?—I think they have power sufficient for putting down processions; and I know the fact from the effect

effect that the prosecutions against the processions at the last summer assizes, in 1834, had; all the Orange persons charged pleaded guilty, and they were bound in their recognizances of 100*l.* each, to appear in court at any future time, to receive judgment when called on. I think from that period, from the interference of Government at that period, the county became quiet, and I never saw so much tranquillity as prevailed in the county after that was rigidly adhered to.

7761. Your opinion is, that the Government is not strong enough to put down all those societies at present?—I think so.

7762. Is that opinion founded upon the manner in which the powers of the Government have been set at defiance in Ireland within the last few years?—Yes, it is partly.

7763. You think that the Government, to effect this object as it ought to be done, should direct its attention to all societies of every description under whatever denomination?—That is decidedly my opinion.

7764. And that if they were to direct legislative enactments at any one society, without including all the rest, they would do more harm than good?—I think it would be quite ridiculous and inefficient against one without including all the others, Riband as well as Orange. Put them all down, and let the inhabitants have peace.

7765. In former parts of your evidence, you have stated that you do think there exist in Ireland associations besides those of Orangeism?—I have not a doubt of that fact.

7766. Do you think it would be necessary, before Government proceeded to legislate upon that subject, that they should inform themselves of the state of those societies?—Indeed I think it would if they could do it effectually; but I do not know how they could do it.

7767. Is it your opinion, that if Government proceeded to take measures with respect to Orangeism, before they had shown that they could put the others down, it would do more harm than good?—I think it would be very erroneous and mischievous.

7768. Is it your opinion that the state of other societies in Ireland could be made manifest to a Committee of the House of Commons?—No, I think it very difficult. I do not know the society myself.

7769. Is it your opinion that the combination is of such a nature that it would be very difficult to arrive at it?—I think that would probably be the case.

7770. You cannot state to the Committee what measures you would recommend?—No, I am not competent to do that.

7771. Is it your opinion that, in the first instance, Government should proceed to put down processions with a strong hand?—I think there should be a general Act of Parliament to put down all societies; a general Act affecting all, making every society penal, and every meeting of it penal.

7772. You think that Government, in framing a law of this kind, should show to the country that it is aware of the nature of those societies, and also that it can exhibit the necessary powers to put them down?—Yes; and I think the Government would put them down easily, if they would resolve determinately to do it. I have not the least doubt of that.

7773. You think at present the Government have not sufficient information of the other societies existing in Ireland?—Not of the Riband Society. I do not know it myself.

7774. It is your opinion that societies are now in existence of which the Government has not sufficient cognizance to make themselves masters of the subject?—Government may have more cognizance of them than I have, for Government have sources of information I cannot reach; I take for granted they (the societies) are bound by oaths.

7775. You have alluded to the want of power of Government during the last three or four years to carry into effect the laws relating to Ireland?—Yes.

7776. Is it your opinion that Government could have carried those laws into effect if they had been seriously intent upon it?—I am decidedly of opinion they might; I know of nothing to prevent them.

7777. With the laws as they at present exist?—No; I think the procession law was a good law, but it was acted on by Government only for one or two circuits; viz., on last summer circuit and in summer 1834; I think it would be very useful to put down processions of every description; it restored peace for some time.

7778. Your opinion is, that Government should proceed to make themselves acquainted

acquainted with the different societies in Ireland, and the number and extent of them before it proceeds to legislate upon them?—I think that would be the right way of beginning.

7779. And that, unless it did begin in that way it would not do justice?—Indeed not so effectual as if they did.

7780. You stated that some persons who had been guilty of walking in processions were convicted about a year ago?—Yes, they were.

7781. Was that in Fermanagh?—Yes, and in Cavan and in Tyrone, and Donegal and Derry; they pleaded guilty in every town on circuit.

7782. You have stated, that according to common report, juries in Fermanagh are generally Orangemen?—I have stated that a hundred times, and have no objection to do so again.

7783. Those men convicted of walking in procession were convicted by an Orange jury?—No, not at all; they pleaded guilty to the indictment; they were very properly advised to do so.

7784. There were none found guilty without pleading?—No, their case did not go to a jury at all.

7785. Did you not state in your evidence that you did not know yourself of the existence of any Riband Societies?—I did, about twenty times.

7786. Upon what do you found your information with regard to Ribandmen in Ireland?—I know nothing of any society of particular Ribandmen; I found my opinion on what I have seen; I have seen great congregations of people meeting, and I believe that they belonged to some secret society.

7787. For what purpose did those persons meet?—I cannot tell; they met to oppose Orangemen and Orange processions, they said.

7788. So that every society that meets for the purpose of opposing Orangemen is called frequently a Riband Society?—Indeed it is.

7789. When you talked thus loosely, you applied your observations to a meeting of that description?—Yes.

7790. Had there been no meeting of Orangemen that would not have taken place?—I do not believe it would.

7791. Those meetings of persons reputed to be Ribandmen have arisen solely out of the meetings of Orangemen?—I know they are reputed so to do.

7792. Do you know that Government on any occasion ever did relax in its exertions to put down Riband Societies, or any societies, except Orange Societies?—I never did. The Act of 1832 would extend to Riband as well as to Orange.

7793. You believe the others, generally speaking, were produced by the Orange Societies?—I cannot give an answer to that, because I cannot know the fact; but I believe it to be so.

7794. If the Government knew that a Riband Society bound by secret oaths existed, would they not have taken all the means in their power by holding out rewards to informers, and by public prosecutions to put them down?—Yes, and they have done so.

7795. When you spoke of putting down all societies, did you mean secret societies?—Yes, without any exception.

7796. You do not mean to say you would put down meetings of the county convened by the sheriff to express their opinions as Englishmen have a right to do?—No, I mean secret societies bound by secret oaths, not meetings recognized by the law and constitution.

7797. Or without being bound together by secret oaths?—Yes.

7798. If they were secret and exclusive you would put them down?—Yes, I would.

7799. You mentioned that all societies and associations of every description you thought prejudicial to Ireland?—Every association will be prejudicial to the peace of the country; all political associations, all party processions.

7800. Those you think should be equally put down?—Yes, and I think there never will be peace in the country till they are so put down.

7801. Do not you think that a great deal of the present state of Ireland, particularly as regards those private societies and associations, may be attributed to the want of proper government, as seen in Ireland?—I think it is; I think laws should be made more rigorous to put them down, and magistrates of the peace be compelled to do their duty or resign their commission.

7802. Do the members of those different societies feel that they can evade the law?

law?—Yes, as it at present exists. There should be a general law against all, which should be carried into effect without favour or partiality. *R. Kernan, Esq.* 28 July 1835.

Captain *David Duff*, called in; and Examined.

7803. YOU are a captain in the militia?—Yes, in the county of Dublin militia. *Capt. David Duff.*

7804. You hold a situation in the police force also?—Yes; I am chief constable of police in the county of Tyrone.

7805. You hold another situation?—Secretary to Sir Frederick Stoven, inspector-general of police in the province of Ulster.

7806. When were you appointed to the situation of chief constable of police?—In the year 1825 for the county of Tyrone, and for the district I now am in in the year 1829.

7807. At what time of the year were you appointed?—In September 1829.

7808. Where is your place of residence?—At Dungannon, in the county of Tyrone.

7809. Is that the residence also of the inspector-general of the province?—Yes.

7810. Did you observe any Orange procession or appearance in Dungannon in the July subsequent to your appointment, July 1830?—Yes, I did.

7811. Will you state whether you had received previously any instructions from the inspector-general, or the Government, with respect to those processions?—Yes, I had.

7812. Have you about you any document upon the subject?—I have no document as to the orders more than the general circular order issued annually, and the proclamation.

7813. Here is one stated to be issued in 1829 and re-issued in 1830 and 1831; was that the proclamation you refer to?—Yes, it was.

7814. Were those proclamations placed in a conspicuous position through the county, to prevent those processions?—Yes, they were; we got a number of them posted in most conspicuous places, on churches and chapels.

7815. Do you speak particularly of Dungannon?—Generally of the province of Ulster.

7816. From that circumstance it would be difficult for an Orangeman to escape the knowledge of the wish of the Government that those processions should cease?—They were posted generally by the constabulary, and by the order of the Government through the inspector-general.

7817. Did you get any other communication on the subject?—Several.

7818. The question refers to the 12th of July 1830?—Yes; I think we got a circular.

7819. It appears from the document before the Committee that there was a circular issued in October 1828, in July 1829 and in June 1830?—Yes.

7820. Those circulars were sent to the inspectors, and distributed through you, under his control, in that province?—They were; each officer got one.

7821. Is that the circular you received [*a paper being shown to the Witness*]?—We got them to deliver to the magistrates, as well as I recollect; I know about this date we got circulars to issue for each magistrate in our respective districts, and they were sent by the constabulary; I am of opinion this was the document.

7822. Are you aware of the opinion given by Mr. Plunket with regard to Orange processions, and also Mr. Joy?—Yes, I have seen that opinion.

7823. Have the goodness to read that opinion?—"Copy of the opinion of the Attorney and Solicitor-General on the legality of Freemason and Orange Associations and Processions.—We are of opinion that Freemason societies fall within the provisions of the 3d section of the 6 George IV. cap. 4, and that they do not come within any of the exceptions in section 8 of that statute; and, consequently, that such societies are illegal. It necessarily follows from this, that processions of the members of such societies, as such, are illegal. But independently of the illegality which attaches to such processions, as growing out of the illegality of the associations themselves, we are of opinion that it having been satisfactorily ascertained upon oath that such processions are likely to lead to consequences dangerous to the public peace, they may lawfully be prevented.—W. C. Plunket, H. Joy. The foregoing opinion applies to Orange associations and processions.—W. C. P., H. J."

7824. Do you know the date?—No; but I should say it was in the year 1827, if I recollect rightly.

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7825. Have the goodness to read the circular which accompanied it when transmitted?—I cannot speak positively to that; I can only say that they were sent to us; I have seen some, they were opened by the magistrates in my own presence, and in my opinion this was the document.

7826. Have the goodness to read it?—" Dublin Castle, June 1830. Sir, I am directed by the Lord Lieutenant to call your attention to a subject of the utmost importance, as regards the preservation of public tranquillity in your county. The period is approaching at which, in certain parts of the country, a custom formerly prevailed of organizing meetings and processions for the display of political or religious opinions; it is unnecessary for me to advert in detail to the lamentable consequences which have arisen out of the observance of this practice, and which may therefore be expected to occur from a revival of it. His Excellency has every reason confidently to hope, that some compensation for the calamities to which I have alluded, is to be found in the effects, which examples so distressing must have produced in the minds of the advocates and supporters of such proceedings. He is convinced that the conduct of the latter has very frequently originated in motives and opinions not only justifiable, but praiseworthy in themselves, and that on this account the appeal which experience makes to their good sense, and their attachment to the law, cannot be made in vain. Impressed as his Excellency is with this conviction, and satisfied that the disposition to such practices has been materially diminished by the sense of their results, his Excellency considers it to be not the less his duty to impress upon the civil authorities the necessity of co-operating in every possible exertion for the prevention of a recurrence of the practice and its consequences. His Excellency confidently trusts that persuasion and the exercise of personal influence on the part of those authorities will, in the present state of public feeling, be found adequate to the attainment of this important object; if there be any reason to apprehend that this opinion be unfounded, as regards your particular neighbourhood, it is important that his Excellency should obtain timely information on this head. His Excellency requests you will be pleased to communicate these sentiments to the magistrates, and other influential gentlemen in your county. I have the honour to be, Sir, your most obedient humble servant."

7827. You observed a procession in Dungannon on the 12th of July 1830?—I did.

7828. Have the goodness to state what occurred upon that occasion in your presence?—I recollect making a report of a procession in that town, an Orange procession and arch at Dungannon, and a resolution of the magistrates on the 12th of July 1830.

7829. Was that note taken at the time?—I have the original of this, but I copied it into this book; I knew this would be referred to.

7830. To whom was it addressed?—It was addressed to Major Darcy, the inspector-general of the province; the date is in my book 12 July 1830:—" Sir, I have the honour herewith to inclose for your information a correct return of the Orange procession which appeared in Dungannon this day, and beg to acquaint you that every personal entreaty of both Lord Northland, as also three other magistrates, for them to disperse, was treated with contempt, and from their decided determination the magistrates deemed it advisable not to oppose them by force. The names of 16 of the leaders I have taken down, and can have identified should a prosecution take place. Up to this moment, no breach of the peace has been committed. I have further the honour of informing you, that an Orange arch was erected in this town, and on my proceeding with the police force under my command, 33 men, to take it down, I was opposed by most violent threats of a large assemblage of men who surrounded it, declaring it should only come down by loss of their lives: the persons immediately around it were unarmed, but the houses on both sides of the street were supplied with men, arms and ammunition. I took considerable pains to impress on the minds of the people the improper and dangerous step they were taking in opposing the laws; but any thing in the way of remonstrance was useless, or such was only received by them shouting out death to any person who would attempt its removal; seeing them so fully determined, I told them, down it should come, and forthwith took up proper positions with my party to repel their attack, and was in the act of getting the ladder to cut it down, which I would have done, or died in the attempt, when I was ordered to allow it to remain, as you will perceive by the order which I have the honour to inclose, and which I trust you will consider a sufficient justification of my not having the Lord Lieutenant's order carried into full effect, and which I regret extremely I was not

allowed

allowed to do, particularly as my force was sufficiently strong. I have also the honour to acquaint you I have received a report from a steady constable I sent to Ardboe, and up to seven o'clock this evening all was perfectly tranquil in that part of the country, nor was there any appearance of opposition from the Roman Catholic party. I have, &c. (signed) David Duff, chief constable, Dungannon district."—"At a meeting of the magistrates of the county of Tyrone, convened at Dungannon on Monday 12th July 1830, it was resolved, that it would be highly inexpedient that Captain Duff, of the constabulary force, stationed at Dungannon, should act according to the instructions given to him respecting an arch erected in Dungannon; they being decidedly of opinion that loss of lives to a frightful extent would be the consequence, and therefore desire Captain Duff to refrain from removing such arch. (signed) Northland, Edward Evans, Richard Murray, Alexander Mackenzie, W. H. Walsh, J. W. S. Murragh."—"I beg leave to differ in opinion with the other magistrates. (signed) James Knox."

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7831. Have you any thing further to state respecting that transaction?—No; I made that report as soon as the transaction was over.

7832. At that time Major D'Arcy commanded the constabulary in that district?—He did.

7833. Where was his residence at that time?—At Holly Hill, near Strabane, in the county of Tyrone.

7834. Did you observe any respectable persons take a prominent part in that procession at Dungannon, in 1830?—No, not in 1830. I think the names of the persons are reported here. The six first persons are gentlemen. The three Mr. Irwins, Mr. M'Inroy, Mr. Robert Smyth and Dr. Dawson.

7835. Are any of those yeomen either officers or privates?—Yes, I think the first, Mr. Thomas Irwin. At least, he was a lieutenant of yeomanry in 1831, and was dismissed for appearing in a procession. I think that is the same man.

[*The List was delivered in, and read, as follows:*]

RETURN of ORANGE PROCESSIONS that appeared in *Dungannon*, as also *Ardboe*, on the 12th July 1830.

Number.	Number of Men in each Procession.	Guns.	Pistols.	Swords.	Stand of Colours.	Bands of Music.	Number.	NAMES OF PERSONS Identified in Procession.	RANK IN LIFE.
							1	Mr. Thomas Irwin -	Gentleman.
							2	Mr. John Irwin - -	- ditto.
1	30	–	–	–	1	1	3	Mr. Francis Irwin -	- ditto.
							4	Mr. James M'Inroy -	Merchant.
2	60	–	–	–	2	1	5	Mr. Robert Smyth -	- ditto.
							6	Dr. —— Dawson -	Surgeon.
3	1,200	2	1	2	17	12	7	Matthew Dixon - -	Respectable.
							8	James Kelly - -	- ditto.
							9	Samuel Brown - -	- ditto.
4	1,300	2	–	1	13	13	10	John Davidson - -	Tradesman.
							11	Robert Davidson -	- ditto.
* 5	800	1	–	2	18	10	12	Robert Mulligan -	- ditto.
							13	Thomas Hunt - -	- ditto.
* 6	900	–	–	–	20	15	14	William Davidson -	- ditto.
							15	Thomas Pearce - -	- ditto.
							16	Charles Lucas - -	- ditto.
Total	4,290	5	1	5	71	52			

* Nos. 5 and 6 are Ardboe Processions.

I certify that the above Return is correct, to the best of my knowledge and belief,
(signed) *David Duff*, Chief Constable.

7836. Were you at Moy about that time?—No, Moy is in my district; but I received reports from Moy.

7837. Have you them here?—I have them at my hotel, not here. There is nothing particular in them that I recollect, except a very large procession, for which a captain of the yeomanry was dismissed.

7838. A captain of the yeomanry took a part in that?—Yes.

7839. What is his name?—Captain Harper.

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7840. Are you aware of the Maghery outrage, as it is called?—Yes, I am.

7841. Will you state your recollection of that evidence?—Perhaps the better plan will be to read the official report I made of what I saw. This is addressed to Major D'Arcy, the inspector-general of police, for the information of the Lord Lieutenant—the date is in my book, Monday night, twelve o'clock, 22d November 1830: "Sir, I have the honour herewith to communicate for your information, the following correct particulars of an outrage which took place within five miles of this town, on this morning; as also the circumstances which led to the same. On the night of Friday, the 19th, a party of Orangemen, about twelve in number and unarmed, with drum and fife, proceeded from Killyman, in this neighbourhood, to the county of Armagh, for the purpose of attending a lodge. On their returning, and passing through the village of Maghery, in the neighbourhood of Verner's Bridge, on the morning of Saturday, the 20th instant, they were met by a number of Roman Catholics, who called on them to play Garryowen, which they instantly complied with; and, on passing quietly on, a Roman Catholic named Campbell advanced, and smashed the drum head, calling out to the Roman party to 'come on, boys, now or never; let us smash the Protestants,' which command was instantly obeyed, as the Catholic party fell on the Protestants, and beat them, some severely. The latter being overpowered, ran off, leaving their hats, coats, &c. behind them. On the morning of Sunday, the 21st instant, some few of the Protestant party from Killyman proceeded to Maghery, and stated to some of the Catholics there that they came for the hats, coats, &c.; and that if they were returned, and the drum repaired, no further notice would be taken; if not, they would make them do so. This proposal was not complied with; and late on Sunday evening word was sent from Maghery to Killyman, stating that the Magherymen would meet them on Monday, this day, and fight it out. About nine this morning, it was reported to me that a large party of men, well armed, with drum, fifes, &c. were marching down to Maghery from Killyman. I accordingly lost not one moment in proceeding after them, with the police under my command, and accompanied by that active magistrate, J. S. Murray, esq. jun., to keep the parties from fighting. On arriving near Verner's Bridge, I met the Protestant party, about 50 in number, armed, returning from Maghery. They stated to me, that they were down at Maghery, but that there was no fighting. Seeing the state of alarm in the neighbourhood, I proceeded to Colonel Verner, and was informed by him that the Protestant party forced open the gate of Verner's Bridge, in spite of his endeavours to stop them, stating that bloody Wellington would not keep them back; that some were inclined to shoot him; and that they proceeded on to Maghery, and that they destroyed every article of furniture, glass, &c. in the entire village; and fortunately the inhabitants had taken out to their boats, and made their escape across the lake. In conclusion, I beg to inform you that no life was lost on the occasion. (signed) D. D." That was my report on what I saw, and what was reported to me, on both sides, to be the cause of what is termed the wrecking the town of Maghery. There was afterwards an investigation at Lurgan, where I was examined by Mr. Perrin.

7842. Can you state the result of your evidence there?—I gave it on oath, in the presence of a gentleman now here, Colonel Verner; I would rather refer to that than state it at this distance of time.

7843. Is this a copy of your evidence?—[*the same being shown to the Witness.*] —It is; it is not the full evidence, but an abstract of the evidence.

7844. Does it appear to be correct?—The parts I have looked over appear to be correct.

7845. Have the goodness, if it is correct, to read it?—"Mr. Duff, sworn. About 10 o'clock on 22d November 1830, heard that an armed party of men called Killyman Boys had proceeded to the bann foot for the purpose of having a fight; on hearing this, instantly ordered out the entire party of police under his command, and proceeded in the direction where he heard the party had gone; met a party consisting of from sixty to eighty on Dungannon side of Verner's Bridge, and near the bridge, about fifty of the party armed; had a drum and fife; halted this party, and asked where they were coming from, and why they were armed. The party in reply stated they had been for hats and coats that had been taken from them the Saturday before in Maghery. Mr. Duff asked was any mischief done; the reply was not any, 'that there was only a few panes broken, but the Maghery fellows, damn their blood, would not stand fight.' Mr. Duff asked had any arms been taken; one of the party said, 'only a gun.' Mr. Duff desired them to give up the gun; some

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some of the others then said, there had been no gun taken, and the party also said there had been no racking, only a few panes broken. From the plausibility of the story, witness was inclined to believe them, but happened to see a gun-barrel scraped, and with the appearance of having been used in some act of violence, and from the general excitement of the party, witness thought it right to proceed to Colonel Verner's as the nearest magistrate in Armagh; witness having a party of ten constables under his command, Mr. Murray, the magistrate from Dungannon, said he would remain at the bridge, as he did not like to go into the county of Armagh; witness went to Colonel Verner's house, and reported that he had met a party of armed men under the circumstances before stated; that witness had ten constables under his command, and wished to know if Colonel Verner had any orders, and received none; witness and his party then returned to Dungannon; the armed party before stated, played the 'Protestant Boys,' and cheered when they were going away; witness does not know the name of any of the party, but the faces of some were familiar to him."

7846. What conversation had you on that day with Colonel Verner?—I reported to Colonel Verner that I had met those persons armed; and Colonel Verner's answer was just what I stated, that they were going to shoot him, and that they behaved very badly; that they forced open the bridge and were going to shoot him, and that he proceeded to Maghery, and did all in his power to appease them; he told me he was writing against post time; I told him I had a party of ten men at the bridge, and that though it was out of my own county, I did not care what county it was in if I could be of service, and to know if he had any orders; his reply was, that he was writing against post, and that he had no orders, and of course I marched home again.

7847. If Colonel Verner had given you instructions to have apprehended some of those men, could you have done it?—As to that question, at the time I saw Colonel Verner, I suppose before I could have reached them, though it was early in the day, they must have been a considerable distance in the country, for, marching as a body, if they wished to avoid us they could have gone into the country. But another question arises; if we had exerted ourselves and gone in search, I think we might have apprehended some of the parties and brought them to Maghery to be identified by some of those who were there; it was early in the day, they made no secret; I was speaking with them for about ten minutes; they were in regular order and had an advanced guard.

7848. When you stated that you had these ten men under your command, what was your object in making that communication?—To obey any orders he might give; I was so taken with the plausibility of their story, I did not distrust them till I saw a gun-barrel injured; then when Colonel Verner told me they had destroyed the town, and had done all in his power. In the evidence before Mr. Perrin, I think Colonel Verner said he did not hear my report of the strength of the party.

7849. Do you mean, that Colonel Verner reported at the examination before Mr. Perrin that he did not hear you?—Yes; I think I have a copy of the answer in my book.

7850. Were you in Dungannon on the 12th of July 1831?—Yes, I should say I was.

7851. Was there an Orange procession on that day?—There was.

7852. Will you read your report?—"Orange procession at Dungannon on 12th July 1831. Sir, I have the honour to report, for the information of his Excellency the Lord Lieutenant, that a body of Orangemen, supposed to be in number about 5,000, marched into Dungannon this day at two o'clock in procession, accompanied with music, playing party tunes, also carrying 32 flags and 15 stand of arms; after remaining a short time in the town they returned to their respective homes in the most peaceable manner. The only persons holding situations under Government that I observed taking part in the procession were two officers of yeomanry, namely, Lieutenant Thomas Irwin, of the Moy corps, and Lieutenant Francis Irwin, Dunmona corps; these gentlemen marched sometimes at the head of the procession through the streets of the town; it may not be unnecessary for me to state that I paid particular attention to the description of the 15 stand of arms alluded to in the former part of my report, and found that none were yeomanry arms, nor did I observe any of the non-commissioned officers, drummers or privates of that body in the procession. I have further the honour to state for his Excellency's information, that the only breach of the peace committed during the day was an attack

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attack made by some of the men employed at the colliery, who are Roman Catholics, on a party of Orangemen, two of whom were beat severely; one of the Catholic party received a slight injury. I proceeded to the spot with the least possible delay with a strong force of police, accompanied by Mr. Murray, a magistrate. We arrived in sufficient time to prevent another serious conflict between the two parties, and from the excited state of the Orangemen, anxious to have revenge for the attack made on them, I thought it necessary to place a serjeant and ten men at the colliery to remain all night, in order to protect the members of it, as also the machinery; several windows in the houses attached to the colliery were broken by the Orangemen. I have the honour to be, &c. (signed) D. D." In consequence of that report, the order for the dismissal of the two yeomanry officers came down.

7853. Does that report say that that took place on the same day with the procession?—Yes; the colliery is within an English mile of the town.

7854. Who were the two officers who were dismissed?—The Messrs. Irwin, Lieutenant Thomas and Francis Irwin.

7855. The one of the Moy infantry and the other of the Drummond?—Yes.

7856. Major D'Arcy was their inspector?—He was.

7857. Were not the proclamations and circulars of 1830, forbidding the processions, re-issued again in 1831?—Yes.

7858. Government did, through its own orders and through the police, exert itself in every way to announce the impropriety and illegality of those meetings, and to prevent their taking place?—Yes, I saw nothing wanting on the part of Government.

7859. Were the proclamations posted again in 1831?—Yes, they were; that was the Duke of Northumberland's proclamation.

7860. Is that the address of Major D'Arcy giving an account of his report on the processions?—It is; that is his report I just read, enclosed in it, and one more I see; there is an abstract of the different processions I observe there; the usual way is for the inspector-general to give in an abstract of the different reports he receives, but such as he wishes to bring under the immediate notice of the Lord Lieutenant he sends a report of himself; this is a report of that nature.

[*The same was delivered in.*]

7861. You have had a good opportunity of knowing the feelings of the people who joined in these processions, did you ever see Catholics gratified with them or take part in them?—My answer to that question is, I never saw, to know, Roman Catholics in them; they may have been Roman Catholics for any thing I know.

7862. You were also in Dungannon in 1832?—I was.

7863. Did you receive instructions from Government to prevent processions on that occasion?—No, the order we get stands from year to year, if we do not get a countermand.

7864. Did you see a procession in 1832?—I did. This is a copy of my report: "Orange processions headed by Colonel Verner and others, magistrates, &c. wearing 'orange and purple,' in Dungannon, 27 April 1832. Sir, I have the honour to communicate, for the information of his Excellency the Lord Lieutenant, that between the hours of 12 and one o'clock this day, a large body of Orangemen, in number from four to five thousand, marched into this town in regular procession, carrying 24 stand of colours, their bands playing the Protestant Boys in front, and 'leading' the procession. I observed the following gentlemen decorated with orange and purple: First, Lieutenant-Colonel William Verner, a deputy lieutenant of this county, as also a magistrate for it and the county of Armagh. Second, Mr. Joseph Greer, also a magistrate for the counties of Tyrone and Armagh, and Captain of the Moy corps of yeomanry. Third, Mr. Jackson Lloyd, a captain of the Killyman corps of yeomanry; several other gentlemen of this neighbourhood also accompanied the procession, but none holding, but those mentioned, any commission under His Majesty's Government. As the procession was marching round the town in the order before mentioned, some insulting language was made use of towards them by four or five Roman Catholics, on which a riot ensued, stones thrown by each party, the Roman Catholics retreated, and when on their retreat, either two or three pistol shots were fired on them by the Orangemen, one of which took effect, and broke the left arm, close to the elbow, of a man named Peter Sally, a Roman Catholic, whom I have had examined, but he is unable to identify any of the party, except one man named Wallace, who he observed throwing

throwing stones. I have taken the necessary steps for this man's apprehension. On the procession halting in the centre of the town, the several masters of lodges, 40 in number, together with the gentlemen before mentioned, returned to the court-house, where a private meeting was held for upwards of two hours; the object of which, as I have since heard, was for making the necessary arrangements for the 12th of July, as also for the purpose of forwarding petitions against Reform and the education system. Up to this period, 11 o'clock P.M., the town is perfectly tranquil, and the Orangemen have returned to their respective places of abode. Signed, D. Duff." Capt. *David Duff*. 28 July 1835.

7865. Did any inquiry take place in consequence of that?—Yes; there was a personal examination of myself by Government, and a reference; I was called on by Sir William Gosset's letter to verify the statement on oath, which I did; the affidavit was taken by Major D'Arcy in Dublin, and taken to the Lord Chancellor. The matter rested there, till I found by the newspaper report that Colonel Verner had denied his walking in procession in the manner described by me; then it was for me immediately to substantiate my own report, and I proceeded to the magistrates of Dungannon with three affidavits in support of my original report. I presented them to the magistrates at the quarter sessions; Messrs. Murray and the barrister, Mr. Nunn, were there, and I applied to him for permission to have those affidavits sworn, and the magistrates refused taking them, they being voluntary oaths, and not being called for by Government. I then proceeded, with the three affidavits signed by the men, to Sir William Gosset, stating that my character was impeached, and that I begged his Excellency would be pleased to allow those affidavits to be sworn, and the affidavits I handed to Sir William Gosset, with my report sustaining the first one.

7866. Were the affidavits sworn?—They were signed by the men, but not sworn.

7867. Who were the men?—They were three constables of police, Robinson, Brownlee and Moore.

7868. Did they sustain your statement?—Yes; I have copies of the documents all here; I also reported the procession to Lord Caledon, and I felt myself called upon to account for the difference between my statement and Colonel Verner's I have also copies of two letters I wrote to Sir William Gosset upon the subject; I have a letter in which I embodied these affidavits of the men:—"Dublin, 19 July 1832. Sir,—Having read in the Morning Herald newspaper of the 3d instant, a speech purporting to be that of the Lord Chancellor, in which his Lordship states that Colonel Verner had denied that he either sanctioned or took part in any of the proceedings in the Orange procession of the 27th of April, nor was he decorated with orange emblems; in the same paper the Earl of Caledon is also reported to have stated that Colonel Verner had given a distinct denial to the same effect; on referring to my report of the 27th of April, wherein I stated that I observed Colonel Verner leading and in front of the procession, decorated with orange and purple, and in support of the accuracy of such, I have the honour to enclose herewith, for the Lord Lieutenant's information, the affidavits of one serjeant and two privates of the constabulary under my command, who not only observed Colonel Verner in the manner I reported, but saw him distinctly take off his hat and cheer the procession he was leading, and which happened two hours after his arrival with Mrs. Verner in his pony-chaise. Should the Lord Lieutenant have any unfavourable impression on his mind as to my character, which is now most publicly impeached, or the slightest doubt as to the accuracy of my original report, I trust his Excellency will be pleased to allow me to have the enclosed affidavits sworn, and which would have been now done, but that the magistrates refused taking voluntary ones, they being prohibited by law."

7869. The three affidavits supplied by you were to the effect stated in your report?—They were.

7870. Have the goodness to read them?—"John Brownlee, serjeant of the Tyrone constabulary stationed in Dungannon, being sworn, states that he was on duty on the 27th of April last, under the command of chief constable Duff, in the town of Dungannon; that he knows and has known Colonel Verner for the last 25 years; that he on the day above named, the 27th of April, saw the said Colonel Verner leading and in front of the Orange procession on that day through the town of Dungannon, wearing on his person Orange decorations, namely, what he supposes to be an Orange scarf inside his coat; further swears that he saw Colonel Verner leading the procession opposite the police barrack, their bands playing party tunes, colours flying,

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flying, &c. &c. and that he, Colonel Verner, took off his hat when in front of said procession, turned round and cheered them. (signed) John Brownlee."

"John Robinson, of the Tyrone constabulary, stationed in Dungannon, being sworn, states that he was on duty on the 27th of April last, under the command of chief constable Duff; has known Colonel Verner for the last four years; saw the said Colonel Verner leading and in front of the Orange procession on that day through the town of Dungannon, wearing on his person orange and purple ribbons fastened to the button of his coat; further swears that he saw the said Colonel Verner take off his hat in the town of Dungannon, turn round and cheer the Orangemen that he was in front of, and leading through the town of Dungannon bands playing, colours flying. (signed) John Robinson."

"Robert Moore, of the Tyrone constabulary, stationed in Dungannon, being sworn, states that he was on duty on the 27th of April, under the command of chief constable Duff; has known Colonel Verner for the last nine years; saw Colonel Verner leading and in front of a procession of Orangemen on the 27th of April in the streets of Dungannon, wearing on his person an orange and purple ribbon, which he believes was more as a decoration for the above day. (signed) Robert Moore."

Lunæ, 29° die Junii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

William John Hancock, Esq., called in; and Examined.

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7871. YOU are a magistrate of the county of Armagh?—I am.

7872. When were you first appointed a magistrate of the county of Armagh?—I think in the year 1827, in the month of December.

7873. Are you a magistrate of the county of Down?—I am.

7874. Were you appointed a magistrate of that county at the same time or subsequently?—About two years afterwards.

7875. You are agent to Mr. Charles Brownlow, the late Member of Parliament for the county of Armagh?—I am.

7876. How long have you been agent for him?—Since the year 1826.

7877. The county of Down is well circumstanced as to the condition of the people, a good understanding between the landlords and tenants, good employment and remunerative wages, is there not?—Yes, I should think so.

7878. There is a system prevails in the county of Armagh between landlord and tenant, and generally speaking, in the north of Ireland very favourable to the tenant, even if the tenant has no actual lease from the landlord?—The tenant's right is always respected, though he has no lease; if he wishes to get a transfer of the property, he will get from 10*l.* to 15*l.* an acre premium for land, worth five and twenty shillings an English acre.

7879. You understand this arrangement to exist in the north of Ireland generally?—Yes; I speak particularly of the three counties of Down, Antrim and Armagh, with which I am well acquainted.

7880. Will you explain the nature of that tenant's right?—A tenant holds from year to year, and very often holds for 20 years with that tenure, without any lease whatever; and if he comes to sell his interest in that land from any fatality, or wishing to change his mode of life or residence, or to go to America, he will get from 10*l.* to 15*l.* an acre for the tenant's right, and transfer in the books of the landlord.

7881. Without having any legal claim?—The only legal right he could have, would be possession of the land up to the November following, giving him six months' notice to quit at the previous May.

7882. Such is the good feeling and the advantage and indulgence on the part of the landlord towards the tenant, he allows him to sell his interest, and that interest produces the tenant right, as it is called, without any legal claim beyond the mere occupancy, till an ejectment has thrown him out, frequently 10 years' purchase?—Yes, from 10*l.* to 15*l.* an acre on land worth from 20*s.* to 25*s.* an acre. This custom prevails on Mr. Brownlow's estate and on Lord Hertford's estate,

estate, and other large proprietors; Lord Hertford has a large barony, out of which he has 42,000*l.* a year, in which it is practised; in fact, it is considered just the same as a lease; it is the same on Lord Downshire's estate.

7883. There is a vast deal of employment in the county of Armagh and in the neighbouring counties, is there not?—A great deal.

7884. There is a great deal in the linen trade?—A great deal in our immediate neighbourhood.

7885. There is great punctuality on the part of the tenants in the payment of their rents, generally speaking, is not there?—Generally speaking, there is.

7886. It is only those who are punctual in the payment of their rents to whom this applies?—It very often happens that it occurs to those who are not punctual from some necessity; they are behindhand in their payments, and are obliged to dispose of their farm, and we look to the person coming in, whether he is a decent, well-behaved man, and if he feels it his interest to sell again, he sells again.

7887. So that even where the tenant is not punctual, from his want of prudence or the dissipated habits of his family, involve him in difficulties, he is allowed to sell his interest in the manner you speak of, and the only thing the landlord looks to, is the good character of the incoming tenant?—Yes; and another custom prevails, not charging for the houses or any improvements the farmer may put upon them in the way of buildings; if the tenant during his tenure of the farm, having a lease, expends a sum of money in buildings, when the lease expires the property is not valued at all according to the improvements put upon it in buildings, but only the acreable value of the lands.

7888. Without taking into consideration the money expended by the tenant himself in buildings?—Yes.

7889. With regard to improvements of another description, draining for instance?—Draining and planting, and improvements of that description, are valued by the surveyor in the value of the land.

7890. In those counties before referred to, is there not full employment for the people?—Pretty generally, where the linen trade prevails particularly.

7891. That trade prevails to a considerable extent in the county of Armagh, does it not?—Yes, and in the immediate neighbourhood of Lurgan particularly.

7892. Can you state what those who are employed in the linen trade, as weavers, earn, the common weaver as well as those who are fine weavers?—It is a very difficult thing to answer that question; we have such a variety of manufactures; we have a branch of the damask manufacture where they can earn a guinea a week, and a fine manufacture of cambrics nearly equal, I should think, to French, and sold in the London market sometimes as French; the wages are very good, on those I would say about 12*s.* per week; and the other wages in the coarser description of goods are generally 6*s.*

7893. What can the farming labourer earn a week?—I think in general the wages average 1*s.*, 10*d.* in winter and 1*s.* or a little more in summer, when they are hired to go home as farm servants; they do not get so much when they board in the house.

7894. From the good understanding that exists between landlord and tenant in the county of Armagh, and those parts of Ireland to which you allude, the general employment of the people and the remunerating wages which they receive, that part of Ireland has every reason to be in a very prosperous and happy condition?—So I should think.

7895. And the humbler classes, the labouring classes, to be contented and happy?—So I should think, certainly.

7896. Do you think that if there were no manufactures in that part of the country; if the employment were by no means equal to the demand of labour; if the wages were from 6*d.* to 8*d.* a day, when that employment was to be had; if the landlord respected no tenant's right, such as you have mentioned as prevailing in those counties; made no allowance for the improvements of the tenant; but if the people occupying the lands, when their tenures expired, were ejected without mercy or without the least assistance, in many instances having paid punctually the rent, that the people of Armagh would have reason to be peaceable, well-disposed, and free from crime?—They would not be so happy and contented as they are now.

7897. In the county of Armagh how is the population, Protestant, Presbyterian and Catholic: what are the relative proportions?—I must refer to the Commissioners' report.

7898. It appearing by the Commissioners' report that the Roman Catholics from

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from the county of Armagh are equal in number to the Protestants of the Established Church and the Presbyterians both inclusive, from your knowledge as agent over one of the largest estates in that county, as a magistrate in the discharge of your public duty, and as a private gentleman living in the heart of that county, do not the Catholics discharge all their duties, as tenants, as citizens, and as individuals in private life, so far as you are acquainted, as faithfully as any other class?—Certainly.

7899. Were it not for party feuds, would not a very good understanding prevail between those and persons of other religious persuasions?—There would, certainly.

7900. In the discharge of your duty as a magistrate, have you found, on the part of the Roman Catholic clergy, cordial and zealous co-operation?—Whenever I have called upon them in any way to assist in the preservation of the peace, I have found them ever ready, active and efficient.

7901. Have you had occasion to call upon them from time to time to induce their flocks not to resort to offensive processions, but to rely upon the administration of the law, and what has been their conduct upon such occasions?—I have frequently called upon them previous to the anniversaries usually held on the 12th of July and the 5th of November, and begged them to do what they could to prevent their flocks interfering, and they have generally given their flocks a lecture not to be in the way to receive an offence, and not to resent it if they do.

7902. When apprehensive of riots, on fair or market-days, have you also called upon them to adopt any step?—When the fair or market happened to be on the 12th of July or the 5th of November.

7903. What have they done to prevent their people coming into collision with those processions?—By giving a lecture to their people on the Sunday previous, sometimes on two Sundays previous, and using their best exertions to prevent any thing of the kind.

7904. Do they ever urge their people to absent themselves from those fairs and markets to prevent such collision?—Very frequently.

7905. In your experience in your capacity as a magistrate, have you ever known any one clergyman of the Roman Catholic persuasion evince any other spirit but that of an anxious wish to co-operate with you in the preservation of the public peace and in the maintenance of good Christian feeling between their flocks and those of other religious persuasions?—I have always received assistance from them on all occasions when called upon, and they do every thing in our neighbourhood as far as possible to keep down any feeling of irritation.

7906. You became agent to Mr. Charles Brownlow in 1826; after becoming agent to him you resided in the town of Lurgan?—Not for the first year.

7907. When did riots first occur when you had occasion to interfere, after you became agent to Mr. Charles Brownlow?—I think the first riots which occurred were Christmas 1827.

7908. Have the goodness to state the nature of those riots?—I will refer to my book; I cannot recollect all the circumstances without that. The first riot was on the 26th of December 1827. Robert Bradshaw was brought in custody charged with rioting and breaking windows on the informations of Mrs. Eleanor Byrne, Edward Doone, and Thomas Courtenay, a police constable. The cause of the riot was a number of men assembling opposite to Mrs. Byrne's house and breaking her windows; she ran out and seized this man, and gave him in charge to the constable; and the cause of the riot was a number of Catholics assembled in the house of Mrs. Byrne whom they wanted out to fight.

7909. Was Bradshaw an Orangeman?—I cannot say, but I have seen him march in procession with ribbons on. In consequence of those riots, and the apprehension of an interruption of the peace, I was obliged to order in a party of police from the neighbouring station of Portadown, and on coming into the town they were attacked by men of the name of Gorman, Hill, and others.

7910. Were they Orangemen?—They were—at least they have marched with Orange processions. The informations were lodged before Mr. Forde, a magistrate, and myself, at petty sessions, and the parties were prosecuted, and Bradshaw was convicted at the ensuing assizes, and got I think three months' imprisonment; I cannot be certain as to the amount of punishment.

7911. Can you refer to any public documents in respect to this transaction?—None but the record of conviction. Gorman, and M'Neil, and Hill, I think, were tried at the session following the 8th of January for an assault on the police.

7912. What

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7912. What was the result?—The result was, Gorman was found guilty, Hill not guilty, and M'Neil not guilty.

7913. Do you recollect any rioting in the year 1828, and the cause of it?—There was rioting in May 1828, in consequence of a report that the Catholic Bill had been thrown out by the House of Commons; it commenced about half-past six in the evening, by hoisting flags on the corner of the church tower and firing two shots, and then by the drum and fife parading the town playing the Protestant Boys and the Boyne Water.

7914. In what town was that?—Lurgan.

7915. You were then a magistrate?—I was.

7916. Did you take any steps in consequence?—I did; I sent for the police, and got the Riot Act in my pocket; I attempted to read the Riot Act, but without any effect; I could not get any one of them to listen to me. I ordered the drum to be taken from the man, but it was impossible to take it.

7917. How many policemen had you with you?—I do not recollect; the force was small; at last I succeeded in arresting one man of the name of Thomas Gracey.

7918. Was there any shouting?—A vast deal.

7919. Do you recollect what was the language which was used?—"Verner for ever."

7920. Nothing else?—"Papist Hancock."

7921. You are not a papist?—Certainly not.

7922. The mob shouted "Verner for ever," and "Papist Hancock?"—They did, and "To hell with the pope." I arrested Thomas Gracey, who was playing the fife, and marched him to the bridewell; all the time the mob were very violent; when I got to the bridewell, I then proceeded to read the Riot Act. I waited very patiently till the hour had expired; then again requested the people to go home, and did every thing I possibly could to induce them to do so, but could not succeed, and I arrested several of them; Thomas Moss, and John Rogers, George Turkington, Richard Hamilton, and several others. I sent off an express for Mr. James Forde, who is a magistrate, residing within three miles; I stated to him what had been done, and he approved of every thing which had been done.

7923. Was Mr. Forde your next immediate magistrate?—He was; he suggested also that I should send to the permanent serjeant to the yeomanry corps, George Douglass.

7924. What was the conduct of the serjeant of the yeomanry corps on being sent for?—Such as induced Mr. Forde and myself to write to Mr. Brownlow to recommend him, as captain commandant, to withdraw the arms from the corps.

7925. Are you captain of the corps of yeomanry at Lurgan?—I am now.

7926. You were not at that time?—I was not.

7927. Mr. Brownlow, whose agent you are, was then captain commandant of the corps?—He was; there was then no second captain; Mr. M'Veagh had resigned, and there had been no other person appointed. We sent for the churchwarden, Mr. Munro, who refused to take the flags off the church, and stated to us that he was rejoicing for the repeal of the Test and Corporation Act.

7928. Had the Test and Corporation Act passed at that time?—I cannot charge my memory.

7929. Will you state what further took place with regard to this transaction, particularly in regard to Douglass?—We sent to Mr. Waring, who was then the rector of the parish, who was confined with the gout.

7930. Is this the Reverend Holt Waring?—Yes; and Mr. Kent, the curate, brought us back the answer, that Mr. Waring disapproved very much of such proceedings; and then Mr. Kent and Mr. Forde proceeded to the churchwarden again, who again refused to interfere, but promised no more ringing of bells should take place, but he would go no further; those transactions took place on the 13th of May, having commenced on the 12th.

7931. Will you state what Douglass, the permanent serjeant of the Lurgan corps, did subsequently?—I have a copy of the informations of Abraham Matchett, the constable of the police then stationed at Lurgan, showing the nature of the riot, and copies were forwarded to the Government, which I understand have been ordered to be laid before this Committee.

7932. There were letters to the Lord Chancellor and to Lord Anglesey, giving a detailed account of the whole proceedings?—There were.

7933. You refer to those letters in corroboration of the statement you now make?

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make?—Yes, I have copies of them. I do not wish to state any thing to the Committee that is not borne out by official documents,

7934. What became of those rioters?—Mr. Forde, and I did all we possibly could do to get them to give bail to keep the peace; they refused to do so, and we committed them to Armagh gaol; I think on the Wednesday they were marched by the police, under the committal of the two magistrates, to Portadown, on their way to Armagh, and were there taken before Mr. Woodhouse, a magistrate of the county, and there bail was taken for them, although committed by two magistrates; and the persons who went bail for them were George Douglass, the permanent serjeant of the yeomanry corps, and William Johnston, who held some official situation in the Orange society, but of what nature I do not know; under the excitation that was then taking place in the town, the parties immediately on getting bail returned to Lurgan in triumph. Perhaps the shortest way would be to read the evidence of the constable. "The information of Abraham Matchett, of Lurgan, constable of police, taken upon oath before me, William John Hancock, esquire, one of His Majesty's justices of the peace for said county. Informant saith, that on Monday, the 12th day of May instant, about seven o'clock in the evening, the bell of Lurgan church was rung, and four flags hoisted on the corner of the church tower. Saith, that shortly after he received an order to hold the police in readiness to turn out in case there should be any riot. Saith, the party were marched by Daniel O'Neill, esq., chief constable of the barony, to the magistrate, W. J. Hancock, esq., who came to his own house, and shortly afterwards came out with a book in his hand. Saith, the magistrate and the police followed a party of persons who were playing a drum and fife; that on arriving at the place where the party had turned, with the intention of coming again into town, the magistrate attempted to address the people, who were shouting and huzzaing and using very abusive language. Saith, the magistrate attempted also to read the Riot Act from the book in his hand, but without being able to be heard. Saith, the orders were given to take the drum, but that it was impossible to accomplish that order. The party who had the drum then proceeded through the town, making the greatest shouting, noise and uproar; that on the way up the street, a fifer began playing the fife, when Mr. Hancock ordered him into custody. Saith, that the magistrate and the party of police proceeded to the bridewell; and that on arriving there, the magistrates read the Riot Act to the persons there assembled, who used the most abusive and opprobrious language. Saith, that the magistrate three several times distinctly and audibly read the Riot Act, and afterwards went up to the persons in the crowd, and individually asked a number of them to disperse, and go home; and at last, full an hour after the reading of the Riot Act, the magistrate proceeded to arrest such persons as refused to remove off the street and go home. Saith, that shortly after some persons had been arrested and put into bridewell, the mob dispersed. The magistrate then went home, and the police went to their barrack; they had not been long there when the magistrate, Mr. Hancock, came down for them, saying there were some windows broken in his house."

7935. Were the windows which were stated to have been broken, your windows?—Yes. "Informant immediately went up to the house, and heard something like a stone thrown against the house, looked round and saw three persons standing at the corner of the market-house; the magistrate went over and arrested one of the party. Saith, that afterwards the town became quiet. Informant saith, that on Tuesday he was directed by James Forde, esq. and W. J. Hancock, esq. two magistrates, to inform the prisoners then confined in bridewell, that bail would be taken for their appearance at the next sessions, and a committal was made out to the keeper of the bridewell, in which it was stated, that they should be discharged on entering into recognizances to keep the peace, and appear at the next sessions. Saith, he communicated to each prisoner the order of the magistrates. Saith, the church bell was rung most of the day, and flags appeared all day on the tower of the church. Saith, about the hour of five o'clock in the afternoon a very large number of persons assembled with drums and fifes. Saith, the party was mostly composed of strangers, to informant unknown. Saith, he had received orders to take the names of the drummers and fifers, but that after using all the diligence in his power, he could not discover the name of any person. Saith, from the noise, shouting and uproar, he has no doubt if any person had attempted to oppose the party who were playing the drums and fifes, and shouting and huzzaing, that very serious consequences would have ensued; and thinks, that if the magistrates and police

police had attempted to take the drums and fifes, they would have been opposed by all the force in the power of the rioters. Informant saith, that on Wednesday he received a committal for the nine prisoners who had refused on being individually asked to give bail. Saith, he proceeded to march the prisoners to Portadown, when a large crowd attended, and the drums and fifes played as often as they could, playing several party tunes, such as the "Boyne Water" and "Croppies lie down," but cannot swear positively as to the tunes, as he is no musician. Saith, that on arriving at Portadown he marched the prisoners to Mr. Patten, the chief of the next barony, and that by him the party and prisoners were taken to the office of Curran Woodhouse, esq. a magistrate of the county. Saith, that after some time bail was taken and the party were discharged. Saith, the committal was signed by James Forde, esq., and W. J. Hancock, esq. two magistrates of the county, and did not see any other magistrate at the office when bail was taken, except Curran Woodhouse, esq. Saith, that he got a receipt for the prisoners from Mr. Patten. Saith, after some little time he marched his party towards Lurgan, that he heard drums and fifes playing most part of the way to Lurgan, accompanying those persons who had been prisoners going to Portadown. Saith, that on arriving in the streets of Lurgan he found the drum or drums, and fife or fifes playing, accompanied by a large mob, who were shouting and huzzaing. Saith, that the persons who bailed the prisoners were William Johnston, of Lurgan, grocer, and George Douglass, of Near Lurgan, permanent serjeant of the Lurgan yeomanry corps." There was another information of John Ferguson, the keeper of the bridewell.

7936. Is that to the same effect?—No, rather different. "Informant saith, that on Monday evening the 12th May instant he received the custody of a number of prisoners charged with riot. Saith, that on Tuesday morning William Johnston, of Lurgan, publican, and George Douglass, the permanent serjeant of the Lurgan yeomanry, came to the bridewell, and advised the prisoners then in custody not to give bail, as they had committed no offence; to stand out; that he, Johnston, had plenty of money, and as long as it would stand he would support them. Saith, that Douglass came twice afterwards to the bridewell, and saith that the most of the prisoners then in his custody would have given bail only for the interference of the said William Johnston and George Douglass. Saith, when the prisoners were handed to Captain O'Neile, to be transmitted to Armagh gaol, a mob of upwards of two hundred assembled. Saith, there was a big drum and a drum and fife; when the prisoners were marched off, the big drum was beaten by, or was in the custody of Alexander Pollock, of Lurgan, and the drum was beaten by a boy of the name of Mahaffey, who is son of the late permanent drummer, and the same that usually beats the drum for the yeomanry corps when on parade; the fife was played by William Cartwright, who is fifer of the Lurgan yeomanry corps, and a pensioner."

7937. Will you state the conduct of Douglass, the permanent serjeant of the yeomanry corps, and one of the persons who became bail for those charged with the riot before Mr. Woodhouse the magistrate?—His conduct was such as to induce us as magistrates to recommend Mr. Brownlow to withdraw the arms of the yeomanry corps, to have them stored for safety. Mr. Brownlow issued his orders to the permanent serjeant to have the arms stored in a place of safety, under the care of Mr. Forde and myself; the serjeant refused to obey the order, and went off to Brigade Major Skeffington Hamilton, and he directed the serjeant not to obey the orders of his captain until he should hear from the Government; he made his report, and we heard no more about it.

7938. Was Douglass an Orangeman?—I should think so, I have no means of knowing.

7939. Have you seen him attending party processions, and wearing colours, and co-operating with the body on those occasions?—Yes, I have.

7940. Bearing the outward and visible signs of an orangeman?—Yes, I should think he would not deny it himself if it was put to him.

7941. Did you feel it your duty as a magistrate to take those steps with a view to prevent the feelings of the Catholics being outraged by those party processions and party tunes and offensive language towards their religion and themselves?—Certainly.

7942. There are a number of Catholics living in Lurgan?—There are.

7943. You were as ready to take measures to prevent riots on the one side as the other?—Most undoubtedly.

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7944. The yeomanry of the north of Ireland is almost all Protestant, is it not; —Of Armagh, entirely Protestant.

7945. There is no Roman Catholic in the yeomanry of Armagh?—Not to my knowledge.

7946. You are well acquainted with that county?—I am.

7947. Do you not believe, that in other corps of yeomanry, in the north of Ireland also, there is no Roman Catholic?—I do not know of any corps in which there are any Roman Catholic.

7948. Are not the yeomanry generally Orangemen?—I should think so.

7949. The Lurgan corps, of which you are captain, were mostly, if not nine-tenths of them Orangemen, were they not?—I should think so, certainly.

7950. They do not conceal that?—Not at all.

7951. They rather boast of it?—They do not say much about it of course, it was a well understood thing; upon one occasion they refused to obey the orders of Lieutenant Hall in 1812. I think it was because he had signed a petition in favour of Catholic emancipation, and Mr. Hall was obliged to resign his commission in consequence.

7952. Was Mr. Hall a Roman Catholic?—No, he was a Presbyterian.

7953. But he had signed a petition in favour of the Roman Catholics, in consequence of which the yeomanry corps refused to obey his orders, and he was obliged to leave the corps?—They insisted upon his leaving the corps, and he did so; and there was another circumstance occurred, I think about 1810, in which the Bann yeomanry refused to be inspected with the Scarva corps, because there were six Catholics in that corps; Brigadier Major Wallace was the inspecting officer.

7954. Do you refer to his report for a full account of that transaction?—I do, it will be found reported in the official document by Major Wallace; it happened on the 12th of September 1810.

7955. Are those in the county of Armagh?—No, in the county of Down just adjoining, the river divides the counties of Armagh and Down.

7956. What was the consequence of that corps having refused to parade along with the corps in which there were six Roman Catholics?—They were obliged to be inspected in separate fields, separate divisions.

7957. Are there any other reports to which you would refer the Committee to give them full information?—I would refer to the report of Colonel Hall, who inspected the same corps, I think both of them on the 12th of October afterwards.

7958. Do you recollect any thing important connected with that subject?—Those are the only circumstances I recollect respecting it.

7959. Have you had drum-beating parties in the county of Armagh repeatedly? —Constantly, they never cease in some districts.

7960. When do these drum-beating parties take place?—Generally in the evenings, very late at night or early in the morning.

7961. At what hour do they meet?—Seven or eight o'clock.

7962. Till what time do they continue?—Sometimes till twelve or one o'clock, until the lodge breaks up.

7963. Are those drum-beating parties generally on what are called lodge nights, when the lodge meets?—Yes, so I understand.

7964. Not being of the lodge, you cannot give more particular evidence?—Of course not. I can give a case which occurred on the 28th of May last.

7965. Do you recollect any drum-beating in 1829?—I do.

7966. Will you describe what is a drum-beating party?—There is a drum and fife playing along the road for the purpose of assembling the Orangemen, we suppose, or the boys in the neighbourhood, as they call themselves; they then proceed to their Orange lodge, and do whatever is to be done at the lodge; I suppose the lodge is then broken up, and then they beat home again; and when one lodge goes to visit another they all assemble with drums, very often two or three together will assemble on the roads and parade there.

7967. Is "Orange Lodge" painted upon the drum?—Yes, and the number of the lodge.

7968. Give an account of the tunes they play, and the manner in which it tends to disturb the public peace, in your opinion?—The way in which it affects the public peace is this: if a Catholic or a liberal Protestant, or a Presbyterian who is liberal, has become obnoxious to any members of the lodge, the men assemble, and give him a drumming, as it is called, which is to assemble before his house,

and

and do not let him sleep all night; and if he attempts to come out, all they do is to aggravate him to the utmost extent, so as to get a legal excuse for committing some outrage upon him.

7969. To make him strike them?—To get the first blow struck, and then, when that is struck, it is a justification afterwards to the magistrates and to jurors, whereby the parties are dealt with according to the first blow which is struck.

7970. That is to say, they have impunity?—Yes.

7971. What tunes do they play upon those occasions?—I have heard them play the "Protestant Boys," "Boyne Water," "Colonel Vernon's march" and "Colonel Vernon's Dance." I believe there are two tunes to his name.

7972. Have you heard the "Prussian Drum," or "More Holy Water?"—Yes.

7973. Are those tunes deemed offensive by the Catholics, and evidently intended to give offence to them by the party who play those tunes?—Certainly they are.

7974. In the midst of a population consisting of Catholics and Protestants pretty equally divided, as in the county of Armagh, must not that engender very bad feeling between them to a great degree, and evidently tend to a breach of the public peace, is that your opinion?—It is.

7975. Did you make any communication to Government in your capacity of magistrate, in consequence of these tendencies to a breach of the peace by the beating of those drums?—In 1829 I did.

7976. To whom?—I think to Lord Francis Egerton; I sent him a letter, and I sent him copies of all the informations; I beg leave to refer the Committee to them, I have not copies of them.

7977. You refer to those to substantiate your own evidence?—I do.

7978. Do you recollect any thing occurring with regard to Mr. Joseph Wilson?—Yes, I do.

7979. Is he an Orangeman?—I think he is a district grand master, or something of that kind; I know he has the command of a party of Orangemen, and on one occasion when a number of men whom we call the Bleery boys, from the town-land of Bleery, almost all Protestants, were coming into Lurgan on that occasion, in May 1829, determined to bear down all before them, I had got information of it, and I got additional assistance of police, and endeavoured to get the respectable inhabitants to be sworn in as special constables; I got some of them; I called, among others, on Mr. Wilson to be sworn in as special constable, which he refused; an altercation took place between the chief constable, Robert Mansfield, and Mr. Wilson; words ran very high, so that I felt it my duty to arrest Mr. Wilson; I held him to bail to keep the peace towards Mr. Mansfield; all these proceedings were reported, and the informations are in possession of the Government; I have not copies of them.

7980. Was this connected with drum beating?—Yes.

7981. How?—They had insisted, on coming into Lurgan, to beat drums when they pleased, and the result was that windows were broken; I do not mean to say by those who beat the drums, but it was always attended by a number of idle people and boys.

7982. How many panes of glass were broken in your own house on the night before referred to?—I cannot recollect.

7983. But there were several?—Yes.

7984. Were you a magistrate at that time?—Yes, I was the only magistrate in the town.

7985. Were the Orangemen much annoyed at the arrest of Wilson?—They were, it caused a very great excitement; he refused to give bail, he was committed to Armagh gaol, and they marched him off with drum and fife all the way.

7986. The police brought him to Armagh gaol, who were the persons who accompanied him with drum and fife?—The Orangemen of the district, they went along with him, he being in the custody of the police.

7987. What force of Orangemen accompanied him?—I think when they left Lurgan there were about 100 or 150, but they increased very much along the road.

7988. Were any of them armed?—Not that I saw.

7989. Was it to aid the civil power they went up?—Certainly not.

7990. Was it to insult the civil power?—I think it was in bravado; we have a right to beat drums, and we will beat drums, whatever you say to the contrary.

7991. What became of Mr. Wilson afterwards?—He gave bail to the then

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next sessions; an application was made to the then next sessions, and he was bound over to keep the peace for 12 months by the magistrates at the sessions.

7992. Did it end there?—It did.

7993. There was no prosecution?—No, it was stated that the object of marching Mr. Wilson to gaol was to bring an action against me for committing him.

7994. Did they bring that action?—They did not, but they might have done so if they liked, but they selected another case, the case of a man of the name of John Caulfield, who was a pauper; they brought an action against me for arresting him either that night or the night after.

7995. Who brought it?—If I am asked my opinion, I will state that.

7996. Whom did you mean by they?—I meant the Orangemen.

7997. As far as you could learn?—Yes.

7998. He was a pauper who had no means of bringing the action himself?—Certainly not, it was tried afterwards before the Honourable Justice Moore, and the jury returned a verdict for the defendant, with 6*d.* costs; I never could get costs, I never got any thing. I should have much preferred having Mr. Wilson's case, for I should have had my costs.

7999. How much did the action cost you?—I should think 100*l.*

8000. Did you pay that out of your own pocket?—Certainly.

8001. An outrage took place at Knockbridge, do you recollect that?—I do.

8002. Have the goodness to state the nature of that outrage, and whether you connect it with the Orange system in any way?—I do not mean to connect it in any way with the Orange system, but there was an information of Alexander M'Donnell, taken on the 6th of May 1829; I was not at that time a magistrate for the county of Down, only for the county of Armagh, therefore I could not act in Down, it was a part of the river where it is difficult to ascertain where the two boundaries meet, and I never wished to stretch my power as a magistrate, and did not like to interfere: "The information of Alexander M'Donnell, of Derryland, boatman, taken upon oath, before me, William John Hancock, esq., one of his Majesty's Justices of the Peace for said county: Saith, that he was in the employment of Peter Clarke, and on board his lighter, receiving potatoes on board on Wednesday the 6th of May last past, when a very numerous mob came to his brother who was weighing potatoes on shore, and knocked his brother down; a man armed with a stick came on board the said lighter, and struck informant over the head; another immediately came up and struck informant on the arm with a gun, was then knocked down again by the person who first struck; a third person then came up and told the other two men not to strike any more if informant would go away; the said third person then led informant by the arm to the gangway and desired informant to be gone; the man with the gun stood at the plank and presented the gun as if to fire, when the third man threw up the gun and desired the man who had presented the gun not to fire. Informant then went ashore and lifted his brother and made off as fast as he could, when the party fired several shots after him and his brother; saw the mob cutting the rigging and masts, and firing into the boat. Thinks that there were upwards of one hundred persons, and that from twenty to thirty of the party had arms; to the best of his knowledge the guns used were 'yeomanry guns,' and his reason for forming his belief is, that the gun which was presented at him had a bright lock, and so far as he could judge, the guns were all the same, but from his anxiety to save his life, he made no delay. Informant has no doubt of being able to identify the man who presented the gun at him, and perhaps some others, but does not know the name of any of the party." In consequence of that outrage, there was a communication made, and a meeting of the magistrates held at Drumlin Hill, near where it occurred; a great many magistrates attended, and Major D'Arcy among others.

8003. Was the person who was shipping potatoes a Roman Catholic?—Yes, he was; he alleged that it was in consequence of that that the outrage took place upon him; I believe the sole object was to prevent the exportation of potatoes at that time.

8004. Did the man state that he thought they were Orangemen?—No, he did not; he stated that he thought they were yeomen. There was an investigation held on the 25th of May, at Tullylish, before Mr. Hamilton, and then the investigation at Drumlin Hill before the magistrates.

8005. What was the result of that investigation?—We could get no evidence whatever to identify any of the party, who had marched about half past nine o'clock on the morning of the fair day of Tanderagee, only a mile and a half from the

place

place where the outrage occurred; we could get no evidence to identify any individual, and no person was ever punished for that outrage. Mr. Brownlow was at the meeting as well as myself, and when the rest of the magistrates went away, we remained some time trying to get some arrangement made, and we were stoned and abused nearly two miles of the road.

8006. By what class of persons?—The very lowest class.

8007. Were they Roman Catholics?—I cannot tell; I should think not.

8008. Did you suspect them to be Orangemen?—I think they were unwilling that we should inquire into any question of the kind, and make ourselves so active. I believe their object in coming into Lurgan was to take revenge upon me for that activity: most of the parties were suspected to be from the town-land of Bleery and Ballygargen.

8009. The Government issued a proclamation against processions in 1829, did they not?—They did; I have got the proclamation, signed by the Duke of Northumberland, 18th day of July 1829: "By the Lord Lieutenant and Council of Ireland. A Proclamation. Northumberland.) Whereas in certain counties of this part of the United Kingdom, meetings of large numbers of his Majesty's subjects have lately been held, for the avowed purpose of commemorating political events, or for the manifestation of particular opinions, political or religious; as also for the purpose of resisting, by violent and illegal means, such commemoration or manifestation to the great danger of the public peace, and the well-founded terror and dread of his Majesty's peaceable and well-disposed subjects; and whereas such meetings have in recent instances been attended with loss of life to some, and personal injury to other individuals attending them; and whereas we have reason to apprehend a recurrence of similar assemblages; and whereas many well-affected but unwary persons may be seduced by divers pretences to attend the same: We, therefore, the Lord Lieutenant and Council, being resolved to put down and suppress such meetings, and to prevent the recurrence thereof, have thought fit to issue this proclamation, solemnly and strictly warning all his Majesty's liege subjects from henceforth to discontinue the assembling either for the purpose of assisting in such meetings or assemblies, as aforesaid, or for illegally resisting the same; and do charge and earnestly exhort them, to the utmost of their power, to effect the discontinuance of all such meetings and assemblies, and thereby to prevent the dangers and mischief consequent on the same. And being determined strictly to enforce the law and the penalties thereof against persons offending in the premises, do charge and command all sheriffs, mayors, justices of the peace and all other magistrates, officers and others whom it may concern, to be aiding and assisting in the execution of the law, in preventing such meetings and assemblies from being held, and in the effectual dispersion and suppression of the same, and in the detection and prosecution of those who shall offend in the respects aforesaid. Given at the Lodge in his Majesty's Park, the Phœnix, the 18th day of July 1829. Signed by Ant. Hart, c., W. Dublin, Gort, Plunket, Wm. M'Mahon, G. F. Hill, John Radcliff, H. Joy, F. Leveson Gower, John Byng."

8010. Was that generally distributed and posted up in your neighbourhood?—Yes.

8011. Was it left there?—No, it was pulled down at once; it was after every thing had occurred; there was no use in its remaining up till the next time; it was treated with perfect contempt.

8012. Who pulled them down?—I suppose the same parties who marched in procession.

8013. Were they the Orange parties who joined in those processions?—Certainly.

8014. Do you recollect any outrages occurring in the year 1830?—Yes, I do; there was a very serious outrage occurred at Maghery, in the county of Armagh.

8015. Will you state the origin of that outrage, and the nature of the outrage itself?—There were a number of Orangemen marched from Killyman parish, in the county of Tyrone.

8016. Killyman parish is that of which the Rev. Mortimer O'Sullivan is the clergyman?—Yes, it is.

8017. He was not the clergyman at that time?—No, I believe he was not.

8018. You do not know who was then the clergyman?—No, I am not sure; I think it was a Mr. Buck. They marched from Verner Bridge to Maghery, and began to play some tunes for the Maghery people; and the Maghery people, who are entirely a Catholic population, were in very good humour with them; they came

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came on as far as Bann Foot Ferry together. The Maghery people returned home; the Orangemen crossed the ferry, and proceeded to hold a meeting, according to the account of persons who gave me the information, a Black Sitting, as it was called. The Lodge is No. 27, I think, and Bartholomew Wilkinson is the master; and the persons who attended the lodge were Sanders Murphy, Robert Murphy, Richard Murphy, William Richardson, William Wilson, John Wilson and James Turkington. The party who came from Killyman had two drums, two tambourines, two fifes, two bugles and two triangles.

8019. What was the number of the men from Killyman?—I have no idea of the number. John Richardson, of Killyman, acted as the master. There was a man of the name of Leslie, from Moy, there; the man who played the bugle was Haselton; there was a man of the name of Rice there, from Killyman parish, also two brothers of the name of Pickering; they came to the town-land about eight o'clock in the evening. John Wilson, the son of Thomas, took the list of the names that night; there was John Williamson, a soldier on furlough, was playing the bugle; also there was Richard Dilworth, of Killyman, and Edward Rice, of Killyman, and William Rice. William Wilson stated to me when I made the inquiry, that the lodge met to know what the times were going to turn to, and to know what Protestants should do in the present times. Robert Wilson stated that a soldier of the name of Williamson had lost his side arms after leaving them; and he stated also that a small drum belonged to the Killyman yeomanry; the music belonged to Captain Lloyd.

8020. Was Captain Lloyd captain in the Killyman yeomanry?—So I believe. Robert Wilson also stated that there was some talk about the Shane-hill, and whether a union should take place between Catholics and Protestants, and the meeting wanted to know what was to be done. The meetings at Shane-hill were by a number of persons who acted under the name of Tommy Downshire, and their flag was "Half rent and no tithe."

8021. Of what classes did they consist?—I believe they consisted of a great number of Mr. Stewart's tenants, who were dissatisfied with the arrangements which Mr. Hamilton had lately made with respect to the price of lands.

8022. Were they of all religions?—I believe so; they had orange and green both on their flags. Miss Addy stated to me there were about 30 men came over in a boat to hold a black meeting, and they left about 10 o'clock on Saturday morning; they got seven loaves at Miss Addy's public-house, and drank a quart of whiskey before they parted. They returned through the village of Maghery, and when they were asked by some of the Maghery people to play Patrick's Day, they refused, and played up the Prussian Drum and the Protestant Boys.

8023. What is the other name of the Protestant Boys?—The Boyne Water, I think. The consequence was, as it was so described, that there was a general scrimmage took place.

8024. You mean a skirmish?—Yes; in which the drums I think were broken, and some of the other musical instruments were broken; they returned home, and on Monday morning afterwards, a party assembled and came to the bridge, the private toll bridge, Verner's toll bridge.

8025. Did you state that they were beaten?—Yes.

8026. They were overpowered by numbers?—Yes.

8027. Were they severely beaten?—It did not appear that any of them had received any very serious outrage in wounds; they complained mostly of their drums and music. I beg to refer to the report of the present attorney-general, then Mr. Perrin the King's counsel, who was sent down to investigate the case. On the Monday morning the Orangemen marched with drums and fifes, and came past the house of Mr. Boretree, who was a lieutenant of yeomanry; he remonstrated with the party, and wished them to go back, but they declared their intention to wreck Maghery.

8028. What do you mean by wreck?—I mean smashing the windows and the furniture of the houses. Not being able to turn the party, Mr. Boretree rode on, and called on Captain Lloyd to interfere to stop the party.

8029. Is Captain Lloyd the commandant of the Killyman corps?—I believe so; I know he is a captain of yeomanry, but I do not know the name of the corps. Mr. Boretree then proceeded to apprise Colonel Verner, and he immediately repaired to the toll bridge, and locked it to prevent the party crossing the bridge; and he asked the party what they wanted, and they said they wanted satisfaction for their music, and that they had been beaten; there was then some treaty on foot,

foot, and two of the party were deputed to go to Maghery to see that 10*s.* was paid to them for the music, and no further mischief was to ensue upon that treaty being signed. Colonel Verner went to his breakfast. *W. J. Hancock, Esq.* 29 June 1835.

8030. Do you mean that there was a formal treaty signed, or that an agreement was made?—Yes, an agreement come to.

8031. Colonel Verner supposed he had made peace?—Yes; shortly afterwards he found the people had got all over the gate, notwithstanding the locks, and were down at Maghery, and he mounted his horse and went after them.

8032. Did he arrive in time to prevent the mischief?—He stopped them on the road; the evidence before Mr. Perrin details the whole of the circumstances.

8033. State what occurred?—Colonel Verner went down and endeavoured to stop the party proceeding to wreck the village; he sent for some of the men of the village, and while the treaty was going on for the payment of the 10*s.* a number of persons commenced breaking the houses, broke the windows, destroyed the furniture, and attempted to set fire to the village.

8034. To what extent did they do mischief?—A very great extent indeed.

8035. Who was the proprietor of that village?—Lord Charlemont.

8036. Did you ever hear from Lord Charlemont the amount of loss he sustained in consequence of the attack upon that village?—I think I heard it was from six to seven hundred pounds; it might be more, but I am sure it was to that extent, as well as my recollection serves me.

8037. A number of houses were wrecked?—Yes, a great number; what I call wrecking is breaking the windows, and smashing the furniture; this was the 22d of November 1830.

8038. Having wrecked the village, what did these men do afterwards?—Having wrecked the village, they marched back again with drums and fifes, and music.

8039. Were they armed?—Yes, they were.

8040. Were they generally armed, or what portion of them were armed?—There were about 50 or 60, and had between 20 and 30 firelocks among them.

8041. Were they yeomanry firelocks, so far as an opinion could be given?—I am referring to the evidence of Colonel Verner given at the time: "saw a pistol with one, and a bayonet and a stick with another, and also a sword with another;" this was on their coming to the bridge.

8042. Did any one lead them on the occasion, or accompany them, and if so, who were they?—They marched off, with drums beating, and in regular order; Captain Lloyd at their head; and the rear was brought up by Colonel Verner; and no attempt was made to arrest any of the parties. Colonel Verner was then a magistrate of Armagh, and also a magistrate of the county of Tyrone; and Mr. Duff, the chief constable of the barony of Dungannon, called on Colonel Verner, and stated to him, he had a party of police ready for his command; that he had met a number of men armed whom he could overtake. Colonel Verner's reply to him was, he had no orders for him; but I beg to refer to the evidence taken before Mr. Perrin. I am giving only my recollection of the evidence; I beg to refer to his report for the particulars.

8043. Were you present during the investigation?—Yes; I was present during the whole course of the investigation by Mr. Perrin, by order of the Government.

8044. Was Colonel Verner himself examined upon that investigation?—Yes.

Mercurii, 29° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Captain *David Duff*, called in; and further Examined. Capt. *David Duff.* 29 July 1835.

8045. WITH reference to the procession on the 27th April 1832, is there any report upon that subject which you wish to read?—There are some resolutions that were entered into at the court-house that day, which I sent to the Government, a copy of which I have here; they are connected with the report on the same subject.

8046. What was the meeting that took place?—It was a meeting at which I reported, Colonel Verner and Mr. Grier having headed the procession.

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8047. When was this report published?—This letter was sent to Sir William Gosset; the original report was sent to Lord Caledon as Lord Lieutenant of the county, and also to Major D'Arcy for the information of the Lord Lieutenant.

8048. In your report to Lord Caledon, did you state that Colonel Verner and Mr. Grier were at the head of the procession?—I have got the report of Lord Caledon.

8049. Have the goodness to give in that report?—It is a "Report to Lord Caledon of the Orange procession in Dungannon, headed by Colonel Verner and others.—Dungannon, 29th April 1832."

8050. Does that report differ in any respect from the report forwarded to the Government?—No, it is not so detailed, but the substance is the same; it is very short: "My Lord, I have the honour to state for your Lordship's information, that about the hour of 12 o'clock on the 27th instant, a large body of Orangemen, in number from 4,000 to 5,000, marched into this town in regular procession, carrying 24 stand of colours, and three bands playing the 'Protestant Boys.' In front, and leading the procession, I observed the following magistrates decorated with orange and purple; namely, Lieutenant-Colonel Verner and Mr. Grier. As the procession marched round the town in the order before described, some irritating language was made use of towards them by four or five Roman Catholics, on which a riot ensued, the Roman Catholics retreated, and when on their retreat, two or three shots were fired on them by the Orangemen, one of which took effect and broke the left arm close to the elbow of a man named Peter Tully, a Roman Catholic. I have the honour to be, &c."

8051. Did Mr. Grier contradict that statement?—No.

8052. But Colonel Verner did?—He did.

8053. Were you called upon to explain the difference between his statement and yours?—Before the Government had time to call upon me, I heard that there was a contradiction, and I wrote to him myself on the subject.

8054. Had you any personal communications with persons in authority touching the difference between your statement and his?—No; at the time that I speak of, when I had the interview with the Lord Lieutenant and the Lord Chancellor and the Attorney-General, Colonel Verner had not been called upon to account in any way.

8055. Were you called upon to justify the report you made?—I did so myself without being called upon, having heard and having read in the newspaper, and having had it from Lord Caledon in person, that Colonel Verner contradicted my statement. I have the letters here which I wrote upon the subject; I put in one of them yesterday; the first is the 15th of June 1832; this is to Sir William Gosset, the then under-secretary; the other was also to him, which I handed in person: "Sir, I have the honour to acquaint you that I have been informed that on Lieutenant-Colonel Verner being called on by the Earl of Caledon as lieutenant of this county to answer for his conduct on the 27th of April, relative to the part he took in the Orange procession on that day, that he (Col. V.) in reply stated that he did not take the part described, nor was he decorated, thereby contradicting my report of the 27th April on the subject, in which I stated, that I observed him in front and leading the procession, decorated, and which I supported by affidavit, presented by Major D'Arcy to the Lord Chancellor. Fearing such reply from Col. Verner should raise a doubt in the Lord Lieutenant's mind, as also yours, as to the correctness of my report, I have the honour to state, for his Excellency's information, that Colonel Verner not only headed the procession through the streets of Dungannon decorated with an orange scarf, but that he was 'pledged' himself to do so four or five days previous to the procession of the 27th April taking place, stating at the same time that he was regardless of the consequences, and as a further proof, the resolutions which I have the honour to enclose—

8056. Will you read the resolutions referred to in that report?—

[*The Witness read the Resolutions, as follows:*]

AT a numerous and highly respectable meeting of the Grand Orange Lodge of the county Tyrone, held in Dungannon on Friday 27th April 1832, Joseph Grier, esq., Grand Master, in the Chair, the following Resolutions were unanimously adopted:

Resolved,—That regarding ourselves as a British colony, our wish and our duty is to assist the authority of Great Britain, and to retain Ireland as an integral part of the British empire.

That in order to effect this object, an object essential to the best interests of Ireland herself, it is indispensable that Protestants of all classes should give to each other mutual support.

That

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That the support we speak of means to encourage Protestant tenants on the one hand, and to defend Protestant landholders on the other; to preserve a Protestant population, and to keep at its head an aristocracy truly Protestant.

That such of us as are tenants will endeavour to merit this encouragement, and that such of us as are landlords pledge ourselves to give it, seeing no reason why Protestant colonization should not be attempted on lands that are reclaimed, as well as on lands that are not reclaimed.

That while we thus unite to maintain the interests of Great Britain, we are sensible that it is in vain for us to be true to her if she be false to herself, and that we witness with pain the manner in which His Majesty's ministers have discountenanced Protestant principles and disregarded Protestant institutions.

That as Protestants we reprobate the new system, National Education, and that we will not listen to any pastor whom we see to encourage it, or whom we know to approve of it.

That with deep regret we have beheld public attention diverted from measures of public utility to schemes of Reform, which in theory are absurd, and in practice will be ruinous. That we protest against any change that will take the Irish boroughs from the hands of the Irish Protestants, and that we protest against any change that will make the House of Commons purely democratic, as subversive of the aristocracy, the crown, and the constitution.

That we call upon every man who styles himself a Protestant to oppose by all lawful means the encroachments now making upon every Protestant institution, and that we will not support, in the hour of peril, any man who fails in what he owes to his religion and his country.

That we have witnessed with pleasure the exertions of the Protestant Conservative Society, and that while they continue to uphold the Protestant cause, as they have hitherto done, they shall receive our fullest confidence and support.

That the thanks of this Grand Lodge are eminently due and are hereby given to brother William Verner, brother James Verner, and brother John Ellis, esqrs., for their attendance here this day. That the warmest thanks of this Grand Lodge be given to the proprietors and editors of those papers who have uniformly supported the Protestant cause, but especially to those of the Dublin Evening Mail and Weekly Warder.

(signed) *Joseph Grier*, Grand Master.
James Corry, Lowry, Grand Secretary.

8057. Will you now proceed to read the remainder of your report?—"As a further convincing proof as to Colonel Verner's wishes to oppose and embarrass the Government, I feel it my duty to state the following circumstance, which I can have proved at any time called on, and which took place during my absence on duty from this district; namely, that on the night the intelligence reached this part of the country as to Earl Grey's resignation, he, Colonel Verner, assembled the Orangemen of his neighbourhood to celebrate the event at his own house, in front of which he had an immense large bonfire erected; then bands playing party tunes; he then marched the men from the bonfire to a public-house outside of his demesne, where he gave them as much as they wished to drink. In a few days I hope to be able to have the honour of stating fully, for the Lord Lieutenant's information, the intended movement of this Orange party in this county on the 12th of July, which will not be finally settled until the 27th instant, the day fixed for a general meeting of the grand masters to be held in Dublin."

8058. What was the date of the meeting at which the resolutions you have read were come to?—The date of the meeting was the 27th of April.

8059. Did you become possessed of those from their being published?—They were published in a newspaper.

8060. What newspaper?—I cannot say, but I suppose it must have been either the Mail or Warder.

8061. In your interview with the Lord Chancellor and the Lord Lieutenant, at which Sir William Gosset was present, when you explained your conduct with regard to the report you had made, and vindicated its accuracy, did they express dissatisfaction at the nature of your explanation?—They called upon me by a letter, which I have a copy of here, to support what I had stated with reference to the magistrates, by affidavit. The letter from Sir William Gosset to me was, "Dublin Castle, 2d May 1832. Sir, Having submitted to the Lord Lieutenant your letter of the 27th ult., with respect to a procession of Orangemen which marched through Dungannon upon that day, I am to request you will verify the statement you have made upon oath, particularly showing the part taken by the magistrates who took a prominent line in the procession. (signed) William Gosset." In obedience to which I did so.

8062. Will you read the affidavit you made upon that subject?—The "Affidavit made 27th April 1832. County of Tyrone, to wit. The depositions of David Duff,

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Duff, chief constable of police, stationed at Dungannon, county of Tyrone, who, being duly sworn, deposeth and saith, that about the hour of twelve o'clock on Friday the 27th of April 1832, he saw a body of Orangemen, from four to five thousand in number, march into the town of Dungannon aforesaid, in regular procession, having with them 24 stand of colours, their bands playing the following tunes, viz. 'the Protestant Boys, the Boyne Water, and Croppies lie down.' He saw two pistols carried and discharged by two individuals (unknown) of said procession. Deponent observed marching in front of the procession Colonel Verner and Mr. Grier, magistrates of the county of Tyrone, both decorated with orange and purple; also observed Captain Lloyde, of the Killyman corps of yeomanry, decorated and march in like manner; heard and believes that a riot ensued on said day between the Orangemen and some Roman Catholics; heard that three shots were fired by the Orange party, and that a Roman Catholic, named Peter Tully, had his left arm broken from a pistol shot, fired by some of said Orangemen; deponent visited the above named Peter Tully, who he found with his left arm bound up, which Tully said was broken just above the elbow by a pistol bullet; saw the sleeve of Tully's coat hanging, and the mark of where a bullet had perforated the cloth; asked the man whether he knew the person who had fired at him; Tully said he did not, but that he knows a man of the name of Wallace, one of the Orangemen, throw a stone. After seeing the wounded man, deponent visited the doctor who had dressed the arm, and who said it was a bad wound, and that the man would ; deponent heard and believes that it is usual for the Orangemen, when assembling, to carry concealed arms with them. Deponent also heard and believes that a private meeting of the masters of the several lodges, together with Colonel Verner, Mr. Grier and Captain Lloyde, was held in the court-house of Dungannon on the said day, and believes said persons were so assembled for the space of one hour and upwards; that he, deponent, was told and verily believes that said private meeting was held for the purpose of making the necessary private arrangements connected with the Orange Society, previous to the 12th of July, as also for preparing petitions against the new education system and Parliamentary Reform. Sworn before me this 5th day of May 1832. Signed David Duff, C. C. Dungannon District."

8063. Did Captain Lloyde ever contradict that statement?—No.

8064. Did you know Colonel Verner before?—Yes, personally; he shook hands with me that day when he came out of the procession.

8065. When you made this report and communication to the Government, and certified it by affidavit, did you receive through the Government from any quarter, a communication of their dissatisfaction, with that explanation?—I have reason to know that both the Lord Lieutenant of the county and the Government believed my report.

8066. Have you any objection to state upon what that belief is grounded?—No, I can have no objection to state it, because the report I read yesterday I presented to Sir William Gosset myself. I went up for the express purpose of placing my situation at the disposal of the Lord Lieutenant, if he did not either give me an investigation, or if there was the slightest doubt attached to it. I handed in a report to Sir William Gosset, with the affidavits, and he told me that I had no reason to suppose that the Government were dissatisfied, because if they were, they would have called me to account for it. I also called upon the Lord Lieutenant of the county.

8067. Had you ever any misunderstanding with Colonel Verner previous to coming in contact with him in the discharge of your public duty?—From Colonel Verner's character, in every sense of the word, there was not a man in the province that I had a higher opinion of, or would have gone further to oblige, except that difference that occurred in the discharge of my duty.

8068. You mentioned yesterday that Captain Harpur, of the Moy infantry, was dismissed in 1831; have you any report of that transaction, or can you state from your recollection the cause of his dismissal?—I thought I had a report of it, but I have not; he headed a procession in the town of Moy, and it was reported to me by the serjeant in charge there, and of course it was sent up to Government, and Mr. Harpur was called on to explain; he did explain, and it was not considered satisfactory; and he was removed from the command of the yeomanry corps.

8069. Have you any means of knowing the number of Orangemen in 1832 and

in

in 1833?—I have my report of each year of the proceedings that took place under my own observation on the 12th of July,

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8070. Will you state them?—About the 8th of July, I received information that the Orangemen would assemble near Dungannon, at Mr. Lowry's of Rockdale, instead of Dungannon, their usual place of meeting; and I wrote to Sir William Gosset, apprizing him of the circumstance, and begging to know whether I was to proceed there, or to send any force; and I received his orders to proceed there and make a full report of what took place. I did proceed there, and this is my report, dated "Dungannon, 13th July 1832.—Sir, I have the honour to report, for the information of his Excellency the Lord Lieutenant, that the Orangemen of this district yesterday assembled in the demesne of Mr. Lowry, of Rockdale, magistrate for this county, and from thence marched in procession to Mr. Grier's, of Desnerith. From the ground the procession occupied, there could not have been less (at the lowest calculation) than from 8,000 to 9,000 Orangemen, decorated with scarfs, emblems, &c. &c. having 60 stand of colours and 40 bands playing party tunes; and 230 of them armed with muskets, independent of concealed arms. After remaining for some short time at Mr. Grier's, they marched off in the most peaceable manner, by divisions, to their respective lodges; and up to this hour all have been perfectly tranquil. In respect of outrage having reached me, the procession was headed by several gentlemen of respectability and property in this part of the country. The only persons I observed as holding commissions under the Government were the following: Hon. A. G. Stuart, deputy lieutenant, as also magistrate for this county and captain of the Killyman corps of yeomanry, his horse decorated with orange and purple, but none on his person; Mr. Grier, a magistrate for this county, as also for Armagh; the only emblem on this gentleman was that of his office of grand master of the county, namely, a medal suspended from an orange riband round his neck. Third, Mr. Lowry, jun., captain of the Cameroy corps of yeomanry, decorated with orange and purple scarf. Fourth, Mr. Lloyde, second captain of the Killyman corps of yeomanry. The persons above-named are all, I observed, in the procession, though I have received positive information that the Earl of Castle Stuart headed a procession in his own neighbourhood. His second son, the Hon. Charles Stuart, was decorated and marched in the procession from Mr. Lowry's to Mr. Grier's; several clergymen of the Established Church also attended."

8071. Are you aware of the existence of gun clubs in the north of Ireland, particularly in that part with which you are acquainted?—I am not aware, from my own positive information.

8072. Have you had reports upon that subject?—We have had some reports, but I cannot speak from my own knowledge.

8073. Do you remember on the 1st of July 1834 any thing occurring in Dungannon connected with Orangeism?—Yes, I do; I have my report of it:—"1st July 1834. Mr. Costello's arrival in Dungannon, Orange processions, &c. Sir, I have the honour to report, for the Lord Lieutenant's information, that it being generally known that Counsellor Costello, who was professionally employed to attend the quarter sessions at present going on here, would arrive per coach from Dublin yesterday evening; in the early part of the day several persons were despatched to different parts of the country to direct the Roman Catholics, together with the men working at the coal pits, to assemble for the purpose of drawing him into town, while others were likewise employed to assemble the Orangemen to oppose it. To ensure a greater attendance of the former, a man was sent through the town ringing a bell. It being the 1st of July, I had no hesitation in making an affidavit before three magistrates, at the same time stating, if prompt measures were not taken to prevent Mr. Costello coming in as intended, serious disturbance would naturally take place by the collision of the two parties. At five o'clock I proceeded with five mounted police to meet the coach, accompanied by Mr. Strange, a magistrate, who informed Mr. C. of what was in contemplation; on hearing which he immediately left the coach and got into town a back way, to the great disappointment of the persons assembled; and from the strong appearance of excitement, I had the entire police force of 60 men (who fortunately had assembled from the out-stations to receive their pay) under arms, when about 10 o'clock a body of about 150 Orangemen, with a band playing party tunes, and some of them armed, were marching towards the town. I proceeded with Mr. Strange to meet them, and

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drew the men across the road to prevent them entering. On their being directed to disperse, and seeing we were fully determined to oppose them, they returned peaceably, firing some shots; and the leader of this procession is fully identified. About 12 o'clock another procession entered the town, which consisted of about 40 men; ten or twelve of whom were armed with muskets; on being ordered to surrender some dispersed, while four or five of those armed remained for a few minutes and then also retired. One musket was surrendered, charged with a ball-cartridge; the bearer of whom is also identified, and under bail for the assizes. The Orangemen of the town were now assembled, headed with drums, fifes and some armed, their object being the burning of tar-barrels in the Diamond, the opposite party having them also ready for the same place; to prevent which I placed a strong party at either ends of the street; and so determined were the Orangemen that at one period when advancing with a tar-barrel they were alone kept from breaking the line at the point of the bayonet; they however burned in a street, a short distance from where I had the men drawn up, and when burning upwards of 100 persons marched in procession round it, the band playing party tunes; also several shots fired in this procession. Eight individuals have been identified, who, with the others alluded to, I this day obtained warrants against, and shall have the entire brought forward at the assizes. I kept the men under arms until three o'clock in the morning, and from the precaution taken, nothing further occurred during the night, with the exception of six panes of glass broken in the window of a Roman Catholic by some of the mob. For his Excellency's further information, I have the honour to annex a return of the persons identified." Then follows the return, and then there is this postscript,—" Since writing the above report, I find the musket in my custody to belong to the Dungannon corps of yeomanry, of which Morron is a member, and have reason to believe that the other arrested persons were also members of the same corps. Note.—I have obtained warrants against the persons above stated, all of whom shall be brought forward at the assizes. No. 2.—James Morron has already given in bail. I have the honour to be, &c."

8074. Did the Government take any step with regard to that yeomanry corps, in consequence of ascertaining that the guns were used upon that occasion?—I showed my report to the captain of the yeomanry corps, and he read it; and the Government called on him, and some correspondence took place, and it ended in the arms being taken from the corps.

8075. When you said in your report that there were forty bands of music that accompanied the Orangemen in the procession of 1834, will you describe what you call a band?—What is called an Orange band is some fifers and drummers, two or three drummers in some of them, and a Kent bugle composed of four to eight or ten.

8076. Were you in Lisburn in 1834, or did you receive a report as to the resistance of the Orangemen to the military in July of that year?—I was not in Lisburn, but I recollect a report coming in from the officer there.

8077. What was that report?—It was relative to some procession to meet men that were tried and convicted and imprisoned; and on their return from imprisonment they were met by a procession.

8078. Were those Orangemen?—It is supposed that they were.

8079. Do you recollect what they were tried for?—For a breach of the Procession Act.

8080. Have you the officer's report?—I have.

8081. Will you read it?—This report was made to the inspector-general, and it was transmitted to Sir William Gosset; it is dated Belfast, 6th May 1835: " Sir, I have the honour of forwarding to you the enclosed copy of a report which I have received from the constable of police stationed at Lisburn relative to party display, and I beg to state that if means be not adopted to prevent such occurrences there serious consequences may result, as several scenes of a similar nature have lately taken place in that town, and has been the cause of much excitement." Then the report goes on from the officer in charge to the inspector, which he transmits: " Sir, I beg leave to report to you that on Monday evening, the 4th instant, at half-past seven o'clock, a large assembly of people came into Lisburn, on the Belfast road, escorting some Orangemen returning from Carrickfergus gaol with fifes and drums,

drums, playing 'The Protestant Boys,' 'Croppies lie down,' &c. &c. They went down Bow-street, Antrim-lane, and up Chapel-hill by the police barrack, and returned into town, where they separated. I and the party of police kept up a constant patrole until after ten o'clock P. M., whereby the peace of the town was preserved. The Orangemen above alluded to were convicted for rioting in Lisburn on the 17th of January last, and ordered at Belfast quarter sessions for confinement."

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8082. Have you had any processions of freemasons in the province of Ulster this year?—Yes, several.

8083. Have you got a return of them?—Yes.

8084. When did they take place?—On the 24th of June. Here is an abstract of all the processions that took place in the province that were reported to Government.

[*The Witness delivered in the same, which is as follows:*]

ABSTRACT of MASONIC PROCESSIONS in June 1835; St. John's Day.

No. 1.—RETURN of MASONIC PROCESSIONS reported to have taken place on the 24th June 1835.

COUNTIES.	TOWN or PLACE.	PROVINCE OF ULSTER.	No. identified.
Armagh -	Newry - -	- - 300 Freemasons appeared in procession on the Armagh side, composed of Protestants; all tranquil - - - -	Not stated.
Down - -	N. T. Ards -	- - 100 Freemasons appeared in procession, with flags and music, &c.; (an assault committed by a Catholic on a Protestant) considered from party feeling - - -	ditto.
	Grey Abbey -	200 Freemasons appeared in procession, with flags and music; all tranquil - -	ditto.
	Donaghadee -	200 Freemasons appeared in procession, with flags and music; all tranquil - -	ditto.
	Hollywood -	A large assembly appeared in procession, with flags and music; all tranquil -	ditto.
	Comber - -	80 appeared in procession, with flags and music; all tranquil - - - - -	ditto.
	Newry - -	- - District of Freemasons marched in procession to church with aprons and sashes; had drums and fifes, but no party tunes played; composed of Protestants and Roman Catholics; all perfectly tranquil; Messrs. Carey and Mr. Henry, J. P., formed part of this procession - - -	ditto.
	Rathfryland -	- - 70 appeared in procession, with music and three flags; all tranquil; played no party tunes - - - - - - -	6
Fermanagh -	Ederney - -	A procession, flags and music; all quiet.	
	Kish - -	A procession, flags and music; all quiet -	15
	Irvinstown -	A procession, flags and music; all quiet.	
Derry - -	Garvagh - -	- - A procession, not exceeding 40, with a flag, drum and fife, but no party tunes played; composed of Protestants and Roman Catholics - - - - -	Not stated.
Monaghan -	Drum - -	A procession of 23, with a flag, music and fife, and a drawn sword and emblems -	14
	Newliss - -	A procession of 20, with a flag and music -	8
Tyrone -	Benbush - -	- - Two processions, about 50, with music, having a sword, decorated with sashes, purple, and pink scarfs, aprons, &c. - -	7

(Sent up 26th June 1835.)

 No. 2.—RETURN

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No. 2.—RETURN of MASONIC PROCESSIONS reported to have taken place on the 24th June 1835.

COUNTIES.	TOWN or PLACE.	PROVINCE OF ULSTER.	No. identified.
Antrim -	Ballymena -	A very small procession of Freemasons appeared, having flags and music; all quiet	6
	Kells - -	- - A procession of Freemasons appeared, having flags and music, some of whom had arms; one shot fired; all quiet - -	13
	Cloughmills -	A procession of Freemasons appeared, having flags and music; all quiet - -	8
	Parkgate - -	- - 17 Freemasons proceeded in procession to Ballyclare, where they were joined by 300 more; they had music and 11 flags; no fire-arms; all quiet - - - - -	Not stated.
	——	- - Processions took place in Ballymony district; some rioting in the towns of Darvock and Armoy; an attack made by the Freemasons on the Revenue police barrack, the windows of which were broken; the police fired two shots, but without effect; one Freemason received a bayonet wound; all over before the constabulary heard of it.	
	Lisburn - -	- - Freemasons' processions, having colours and flags; badges were worn, and at Lisburn party tunes played; all quiet; some can be identified.	
	Crumlin - -		
	Belfast - -		
Armagh -	Knappa - -	- - A Freemason procession appeared within two miles of Blackwater town of about 150, having badges and music - - -	12
Cavan - -	Cootehill - -	- - A Freemason procession appeared, with six stand of colours, swords, fifes and drums playing; dressed with the insignia of their order; all quiet; the magistrates were assembled at petty sessions at the time, and did not think it necessary to interfere -	Not stated.
Down -	Saintfield - -	- - About 300 Freemasons, with ten stand of colours, ten drums and ten fifes, proceeded to Crossgar, and were joined with 300 from that neighbourhood, having six stand of colours, six drums and six fifes. A sermon was delivered to them on the occasion by a Presbyterian minister; all dispersed quietly.	
	N. Breda - -	- - A procession; four stand of colours, and in number about 100, but without music; several can be identified.	
		(Sent up 27th June 1835.)	
Derry - -	Castledawson -	- - A procession took place; a riot took place, which was quickly put down by the interference of the police.	
	Ballyhey - -	A procession appeared; all quiet.	
Antrim -	Grange - -	- - A procession appeared, and on retiring they were attacked by Ribandmen; several were wounded by stones thrown; to be investigated on Wednesday 1st July.	

(Duplicate sent up from this office 28th.)

8085. You were at the Armagh investigation?—I was.

8086. Was it stated at that investigation that gunpowder was given out of the King's stores to yeomen or others, being Orangemen?—I was not present when the examination took place upon that subject; I heard it from Colonel Jones, a stipendiary

diary magistrate, that powder had been given out of the King's stores to yeomanry and to powder vendors.

8087. Have you since inquired into the circumstances of giving out gunpowder from the King's stores?—In the absence of the inspector-general, a police-officer arrived with his report of it.

8088. Will you read that report?—The report that he brought to the inspector-general I received in his absence; the original is before the Government, and this is a true copy. He brought the original, written by the powder vendor himself, in his own room, a copy of which this is: "A few days prior to the Annahagh business, George Weir, the storekeeper at Charlemont, issued a quarter barrel of gunpowder to William Jackson, of Moy, under the impression that the subsequent election party of Verner would be indulged with a supply for improper purposes." Mr. Weir is in strong league with Martin. It is necessary that Mr. Weir should have the Government order, as well as the merchant's, whose property it may be, and yet without this order it was issued. Then the chief constable's remark at the bottom is, "The above was written in my presence by Mr. William Jackson, of Moy, on the 22d day of July 1835. (signed) Charles Atkinson, Chief Constable." I then told him that would not be considered satisfactory; but before he impeached a man holding such a situation as Mr. Weir, he should be very positive, and get satisfactory information, and he went back, and wrote as follows: "Charlemont, July 22, 1835. Sir, With respect to the communication I had with you to-day, relative to the issue of a quarter barrel of gunpowder, for the purpose of supplying Verner's men on the 15th January last, I beg leave to state, that Mr. William Jackson, of Moy, had at that time no gunpowder whatever in his store, and any issued by Mr. Weir must have been from the Government store to him. Charles Atkinson.—It has also been stated to me, that Mr. Weir, storekeeper at Charlemont, delivered ball-cartridge to Captain Clarke, of a yeomanry corps, without any order, prior to the late burnings at Annahagh, county Armagh, and which ball-cartridge was the property of Government, and lodged in Charlemont stores for the use of the corps and for security. (signed) Charles Atkinson." Mr. Jones was examined, being a stipendiary magistrate, and he can give the Committee further information upon this point.

8089. Must not any person holding Government gunpowder receive an order from Government before he can dispose of it?—I can speak as to the gunpowder, because that is placed under the surveillance of the police; the merchant lodges a certain quantity in the magazine for safety, and he cannot get that out without a warrant signed by the Under Secretary of the Lord Lieutenant from time to time, and it must be countersigned by the storekeeper, and brought to the police station and countersigned again.

8090. But upon this occasion the vendor of gunpowder had no powder of his own in the stores, and the officer of Government gives to this vendor not his own powder, but powder and ball belonging to the King's Government?—So the powder vendor states, but the ball was given to Captain Clarke's yeomanry.

8091. Is that powder vendor alive?—Yes.

8092. And Weir and Atkinson? Yes, they are all alive.

8093. Is the gunpowder in the King's stores of a different quality from the ordinary powder? The powder belonging to His Majesty is all in packages, and not loose; the other powder belonging to ordinary vendors is loose.

8094. Can you distinguish easily the one from the other?—Yes.

8095. You are understood to state that when a merchant purchases powder of his own, it is lodged by way of security in the King's stores, and that he must get a Secretary of State's order before he can get his own powder for sale; but in this instance, at a time when the country was in a state of ferment, and shortly before 16 houses were destroyed in Annahagh, powder is given from the King's store, not the property of the merchant, but the property of the Government, and without any authority whatever?—So it is there stated.

8096. To whom was it given?—To Mr. Jackson.

8097. And it was also delivered to Captain Clarke, of the yeomanry corps?—Yes.

8098. How much?—It was stated to me two casks.

8099. You understood that there were two casks of powder and ball given to this Captain Clarke of the yeomanry corps at the same period, and shortly before the 16 houses were destroyed at Annahagh?—Yes.

8100. What corps of yeomanry does Captain Clarke command?—I cannot say.

8101. Do you say that it was given out of the Government stores, or sold out?—Given

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—Given out. It may be necessary for me to state that I do not come forward directly or indirectly to impugn Mr. Weir, who holds a high station. I merely state in answer to the questions put to me the circumstances that occurred.

8102. Did you hear any observation made by Mr. Weir upon giving out this powder?—I did not myself.

8103. Did you hear of it?—Nothing more than what is stated in the report.

8104. Was there this observation made, "I would be sorry to see Colonel Verner's boys lost?"—That is the purport of the report.

8105. Have you a return of the Orange processions this year?—I have here the returns of the processions which took place in this year and the last year. These are copies of the originals which went up to Government.

[*The Witness delivered in the same, which are as follows:*]

ABSTRACT of ORANGE PROCESSIONS in the Province of ULSTER, 12th July 1834.

COUNTIES.	TOWN or PLACE.	———	No. Identified.
Antrim	Belfast	-- A small procession; an orange arch erected, which the police, who were accompanied by a magistrate, failed in having removed	4
	Lisburn	A large procession	15
	Kells	A large procession	21
	Cloughmills	A procession	7
	Crumlin	A procession	14
	Glenarm	No procession; no indication of party spirit; heretofore high orange.	
	Portglenone	-- 3,000 appeared in Portglenone, and broke through the line formed on the bridge by a military party, who gave way and let them pass; Mr. Jones, C. M., read both the Dispersion and Riot Acts. Warrants are to be issued for those identified	None stated.
	Ballymena	A procession of 20 men; all tranquil	4
Armagh	N. T. Hamilton	-- One procession of 20 men; most of them armed; Mr. Hamilton, J. P., seized one flag; all tranquil	4
	Armagh	No procession or party display; heretofore the highest possible display.	
	Newry	On the Armagh side no procession; no display whatever.	
	Keady	-- 200 appeared, and were dispersed by the military and police; a magistrate attended	Not stated.
	Portadown	-- A procession with 12 flags; fired some shots; Mr. Woodhouse read the Act; but they refused to disperse	7
Cavan	Cavan	-- No procession or display; processions were intended, but the arrangements made prevented any display.	
	Cootehill	No procession or display.	
	Virginia	No procession or display.	
	B. James Duff	A small procession.	
	Arva	A small procession; one sword taken, which was the only display of arms.	
	Killisandra	No procession in the town; a small one in the country.	
	Bailieboro'	-- A large procession; Neison, Pratt and Williams, magistrates, had 34 persons, composing the procession, arrested, they having refused to give in their names when demanded.	
Donegal	Pettigo	-- A procession, but without flags, music or other insignia; Mr. Barton's, high sheriff influence prevented the procession.	
	Ballyshannon	No procession; heretofore a great place for display.	

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ABSTRACT of Orange Processions in *Ulster*—continued.

COUNTIES.	TOWN or PLACE.	——	No. identified.
Down - -	N. T. Ards -	-- Several small processions in N. T. Ards district; a magistrate attended, and all tranquil - - - - - -	20
	Rathfryland -	-- 2,000; all dispersed in the most orderly manner; sub inspector read the Act, which was obeyed - - - - - - -	6
	Saintfield - -	4,000; no arms; all quiet.	
	Down Patrick -	1,500; all quiet; no arms - - - -	Not stated.
	Hillsboro' -	A large procession, with 52 flags; all tranquil.	
	Dromore - -	Small procession; all tranquil.	
	L. Brickland -	A small ditto; all tranquil.	
	Banbridge -	No procession; prevented by the presence of Mr. Foot, a magistrate.	
Fermanagh -	Fermanagh -	No processions; the magistrates willingly performed their duty.	
Derry - -	Maghera - -	Processions in this district; all tranquil -	40
	Garvagh - -	No procession, though the most violent place in the county.	
	N. T. Limavady	Processions appeared; dispersed by two magistrates; all quiet - - - -	16
Monaghan	Monaghan -	A procession; some armed; all tranquil -	12
	C. Blaney -	-- A procession of 40 persons; one sword was taken by order of Mr. Walley, a magistrate; dispersed quietly - - - -	Several.
	B. Bay - -	-- A procession of 1,200, with eight flags; Mr. Lucas, J. P. attended, but did not interfere, although having a police force and corps of infantry at his command - -	16
	Clones - -	A small procession in the neighbourhood.	
	Newbliss - -	A small procession.	
	Drum - -	A small procession - - - - -	6
Tyrone -	Clogher - -	A procession of 100; all tranquil. -- Several processions in Dungannon district; one of 2,000; about 200 armed, were marching towards Dungannon, but were deterred from the arrangements of the magistrates.	

ULSTER DISTRICT.

ABSTRACT of ORANGE PROCESSIONS reported to have taken place on the 12th and 13th July, by Sub-Inspector and C. C.

(Sent up to the Castle on 15th July 1835.)

COUNTIES.	TOWN or PLACE.	——	No. identified.
Antrim -	Ballymena -	-- No display; a muster of Orangemen (Presbyterians); went to church; no flags or music.	
	Ahoghill - -	Orange processions; no flags or music.	
	Billughey -	-- An arch was erected, under which the Roman Catholics had to pass to mass on the 12th; removed by Mr. Jones, C.M. who found two loaded muskets in the house of a man named Kennedy, to which the arch was attached; supposed to be yeomanry.	

(continued.

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ULSTER DISTRICT.—ABSTRACT of Orange Processions—*continued.*

COUNTIES.	TOWN or PLACE.	——	No. identified.
Antrim—*continued.*	Kilrea - -	--Mr. Jones, C.M. accompanied by Major Garrett, and a company of the 46th regiment, and Captain Tennison, and 15 rank and file of the 14th Dragoons, proceeded to Kilrea, and was met by the Rev. Mr. Waddy, rector of Kilrea, who stated, if the military would not enter the town, he would be answerable for its peace; replied by Mr. J., that he had received information that large bodies of Orangemen were in Kilrea, and requested his reverence to accompany him, who answered first in the affirmative, and then in the negative. Three Orange arches across the streets; about 14 flags out of windows, &c. The Orangemen appearing inclined to parade the streets in procession, the military were called out to arrest their progress, which they attempted to force, and threw a volley of stones, with which Major Garrett was cut. The Dragoons then advanced to clear the streets, when three or more of the Orange party were cut with sabres, and one shot fired by a Dragoon. The conduct of the Orange party was mulish and reckless; military performed their duty with much coolness and steadiness.	
	Belfast - -	--No processions; serious rioting on the evening of the 12th, in consequence of three arches being erected (two orange and one green); it was considered necessary for the military to be brought; the sovereign and two magistrates present to assist the police in restoring order; the military was attacked while an Orange arch was removing; A. M. Skinner, esq. present, when it was considered necessary to fire; a woman, named More, a Protestant, was killed, and several wounded; the green and one orange arch removed; one orange left remaining; serious rioting in the same place (Sandy-row) on the morning of the 13th.	
	Antrim (Town) -	--At Ballyclare an Orange procession of about 100; they had music and flags; no fire-arms (identification called for).	
	Glenarm - -	--No procession; but in the country, at Carn Castle (not a police station), processions took place, having flags and music.	
Armagh -	Armagh - -	No display on the 12th or 13th, except a flag, which was removed.	
	Ballyhought -	No display; marched to church on the 12th; no music or flags.	
	N. T. Hamilton	No display; on the 13th processions; armed; many identified.	
	Killilia - -	--A large procession took place, many of whom were armed; it appears Sir James Strange reported it to Government, but took no notice of those that were armed in his report.	
	Moy - -	An arch was erected on the 13th, but removed by Capt. Vignoles, C.M.	
	Benburb - -	An Orange procession; wore sashes and ribands, but no music or flags - -	10
	Tanderagee -	100 Orangemen marched to church; wore ribands; no music or flags - - -	7

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ULSTER DISTRICT.—ABSTRACT of Orange Processions—*continued.*

COUNTIES.	TOWN or PLACE.	——	No. identified.
Armagh—*continued.*	Tanderagee -	300 Orangemen marched in procession on the 13th, having flags and music - -	9
	Richill - -	40 Orangemen marched on the 13th, having flags and music - - - - - - A large number passed up the Black Water in boats, towards Moy, on the 13th, playing party tunes; dispersed on the approach of Capt. Vignoles, C. M.	3
	Portadown -	--No procession on the 12th; the Orangemen attended church; wore sashes; no flags; an arch was thrown across one of the streets, which was removed by order of Mr. Woodhouse, J. P., but re-erected in the evening, and refused to have it removed. On the morning of the 13th alternate firing of shots, and a procession of boys, fifes and drums beating, about 1 P.M. Several bodies, amounting to between 15 and 20 in number, approached the town, but stopped by the military and police - - -	2
	Lurgan - -	--No display on the 12th, save a few who wore lilies on going to church; on the 12th and 13th arches erected, and continued so until the evening of the 13th, and on the latter day alternate firing shots during the day; as also several bodies of Orangemen, with flags and music, marched in procession; one man returned, and it appears others have been identified, but not returned.	
Cavan -	Swanlinber -	Report sent direct by the S. I. to Government.	
	Virginia - -	--No processions in that district on the 12th or 13th, except at Ballyjamesduff on the 12th; marched to church, about 30 who wore ribands, but without any other emblem. On the 13th, at the same place, the Orangemen marched in procession, with flags and music; the colours were taken from them by Mr. Morton, J. P., but retaken by the Orangemen; no further affray took place - - - - - - -	5
	Arva - -	--Some houses on the road from Killisandra to Arva were decorated, and a stand of colours stuck in a hedge, opposite a house where an Orange Lodge sat; collision with the Catholics prevented.	
	Cootehill - -	--No procession on the 12th or 13th; near Coronery, an assembly, with drums and fifes and flags, five miles from Cootehill.	
	Cavan - -	No procession.	
Fermanagh -	Derrygonnelly -	--No processions in that district, except a greater number marched to the churches than usual; some wore lilies, &c. but without flags or music.	
	Enniskillen -	--No procession, but an attempt was made to erect an arch, which was prevented by Mr. Gabbott, J. P., the S. I., and the police, on the 12th.	
	Brookboro' -	--No procession, except at Roslea, and N. T. Butler; at the former two were armed with swords; the latter wore lilies; neither parties had music or flags, &c.; some few can be identified.	

(*continued.*)

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ULSTER DISTRICT.—ABSTRACT of Orange Processions—*continued.*

COUNTIES.	TOWN or PLACE.	——	No. identified.
Fermanagh—*continued.*	Kesh	--Orange procession, with flags, drum and fifes; stopped by the magistrates at petty sessions; a collision took place; some cut heads, and did not disperse until after the Riot Act was read	6
	Kennawly	A collision prevented at a cock-fight, which would seem was used as a pretence.	
Donegal	Pettigo	--A flag hoisted on the church, and others suspended from windows of individuals in the town; arches erected; two men arrested for refusing to give their names, being in procession, &c.; drums and fifes used on the 11th; identified on the 11th and 12th	17
	Ballybofey	No processions.	
Down	Rathfryland	--A flag on the church on the 12th; the curate requested the s. i. to have it taken down; an attempt made, but ineffectual; one prisoner made; police and military much abused by irritating language, &c.; and on the 13th, as the s. i. and Major Grote were proceeding to Cloughskelt to prevent an intended collision of parties, they were abused by a large number assembled at a meeting-house in Ballyroney, and on their return were again abused, and assaulted with stones, &c. A procession also took place in Rathfryland in their absence, s. i. requesting that the detachment of military might remain at Rathfryland for the present	9
	Kilkeel	No display; Orangemen marched to church; no flags, &c.; no assembly on the 13th.	
	Banbridge	--No display; marching to church; no party emblems; 13th, a procession passed through Gilford from county of Armagh; all strangers.	
	Newry	--No display on the 12th; marched to church; some wore ribands in their button-holes, and watch-ribands or chains.	
	Crossgar	No display.	
	N. Ards	--No display on the 12th in that district, except an arch suspended between two chimneys at Ballymanarret.	
L. Derry	L. Derry	--A procession on the 12th; marched through the city; some wore ribands	18
		A procession on the 13th, ringing of bells, flags hoisted, and a procession passed through Clady; several can be identified	11
	N. T. Vady	--No display; marched to church on the 12th, without flags, &c. except an Orange riband, which all of them wore.	
	——	--150 assembled on the 13th, with music; many armed; firing of shots up to 7 P.M.; no rioting	5
	Garvagh	--No procession or display on the 12th, except an arch erected across the street, in Colerain; on the 12th marched to church, but without flags or music. On the 13th, 19 bodies of Orangemen, with banners and music; entered Garvagh, and were disorderly, being drunk, and would not disperse when ordered by the authorities	40 or 60

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ULSTER DISTRICT.—ABSTRACT of Orange Processions—*continued.*

COUNTIES.	TOWN or PLACE.	——	No. identified.
Monaghan	Clones	--A flag on the church, and an arch on the church-gate, on the 12th and 13th. Orange processions, at which no magistrate attended, although having been apprised of such. An assembly of armed men on a fort; firing of shots. All quiet. At Rockcorry, Orange processions, as also at Barkloss	64
Tyrone	Dungannon	--On the 12th, a purple flag on the church, and remained there until the morning of the 14th; ringing of bells; and an arch was erected on the 13th; magistrates would not interfere, but no processions.	
	Caledon	--Two flags hoisted, one of which was on the church; 100 marched up and down the streets, playing party tunes, and firing shots; several parties entered the town, all armed, to protect the flag, which was placed on a tree.	
	Cookstown	--Orange arches on the 12th; on the 13th, 600 marched with banners and music, playing party tunes, and firing shots	8
	Stewartstown	--An Orange arch on the 12th, which was not prevented by the resident magistrate, although reported to him; a procession of 200 marched up and down; and on the 13th, Orange procession, with flags and music, and firing shots; this also reported to the magistrate. Police remained at the Roman Catholic curate's house to protect his place	2
	Omagh	--An arch erected on the 13th; the magistrates would not order it to be taken down; a small procession, with music	5
	Clogher	No display on the 12th.	
	Aughnacloy	Orange processions on the 13th, with flags and music	2
	B. Gawley	--Orange procession of boys on the 13th, with music, and the Orangemen in their lodge-rooms, but playing party tunes.	

ABSTRACT of ORANGE PROCESSIONS reported to have taken place on the 13th July 1835.

COUNTIES.	TOWN or PLACE.	——	No. identified.
Antrim	Dervock	--From 200 to 300 marched in procession; many of them armed with pistols firing shots; about 11 P. M. some rioting in a public-house; names returned	6
	Bushmills	--From 200 to 300 marched in procession; many of them armed with pistols firing shots; names returned	17
	Ballymony	--No processions; two arches erected, and removed by the magistrate and c. c. with little opposition.	
	Ahoghill	--Orange procession, consisting of three lodges, with seven flags, six drums and six fifes, and proceeded to Rasharkin and returned in the evening, having been increased to 11 flags, with additional drums, &c.; warrants are issued by Mr. Jones, C. M. for those identified	2

(*continued.*)

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ULSTER DISTRICT.—ABSTRACT of Orange Processions—*continued.*

COUNTIES.	TOWN or PLACE.	——	No. identified.
Antrim—*continued.*	Rasharkin -	--150 Orangemen, with five flags, drums and fifes, marched in procession; one of the persons identified being the only one seen armed who fired a shot; some rioting -	7
		--Also that a party of Orangemen were attacked at Drumack (on the road leading to Balymone) by a number of persons, who assembled on the hills and fired a great number of shots without effect.	
Armagh	N. T. Hamilton	--Orange procession, having flags, music, &c., and generally all armed with guns and fixed bayonets, entered this town, composed of two lodges and joined by their flags, but did not muster till after they left the village; five bodies returned to town, having been stopped by the military on their way to Keady; also nine lodges from C. Blany (c. Monaghan), many of them armed with guns and pistols, and proceeded as the two former; being all assembled on the fir hill, played "God save the King," and shortly after left town; on the appearance of a party riot taking place, Mr. Reed, J. P. read the Riot Act, and ordered the police to charge, which had the desired effect of scattering the crowd; but no assault committed; of the number, 120 was considered armed - - - - - - - -	21
	Ballybought Newry)	--500 assembled at Aughnavea, 50 of whom had Orange sashes and carried fire-arms, having two flags, one Orange and the other White, when a sham fight took place, and kept up by continual firing - - -	3
Caven - -	Coronery - -	--Orange processions, about 330, with 11 flags, drums, &c., being armed with 44 swords, one gun; seven bodies of the above assembled at Newbridge, and went to Billy-hill, and joined by four other bodies, making in all 11 bodies; they fired shots, and gave their huzza; one of those identified obstructed the police in the execution of their duty - - - - -	30
	Cootehill -	No processions on the 13th.	
	Kingscourt -	No procession.	
	Bailieboro' -	--A fire was lighted on the evening of the 13th; a number of persons assembled, with fife and drum playing and firing shots; the constable proceeded and took the drum, but saw no fire-arms, and that he knew some of them, and also that they were nearly all Protestants.	
Down - -	Banbridge -	--One Orange Lodge left this town in procession on the 13th, on their way to join the sham fight in the county of Armagh -	10
	N. T. Ards	--An Orange procession proceeded to Bangor, where nine lodges assembled, amounting to about 200 persons, having flags and music, but no fire-arms or weapon seen except a sword; a riot took place on the road to Donaghadee between one lodge and some Presbyterians; one woman lost her thumb by the cut of a sword and several windows broken by this party -	19

ULSTER DISTRICT—ABSTRACT of Orange Processions—*continued.*

COUNTIES.	TOWN or PLACE.	——	No. identified.
L. Derry -	Maghera - -	An Orange procession proceeded to , none identified.	
	Magherafit -	-- Five lodges assembled in procession, but dispersed on Mr Spotteswood, J. P. reading the Riot Act; some are identified.	
	Colerain - -	-- An Orange procession, about 200 in number; not stated whether they had music, &c. or not - - - - - - - -	15
Tyrone -	Donemana -	-- 100 Orangemen marched in procession, having music, &c., and many armed, having six stand of colours - - - - -	22
Fermanagh -	Magheramite -	-- A large number of Orangemen assembled from the neighbourhood of Clones (county of Monaghan) N. T. Butler; not being a police station none were identified there; it appears some rioting took place amongst themselves, but not serious. (Sent up 16 July 1835.)	
Armagh	Pointzpass -	-- An Orange procession passed through this town on the 13th to Market Hill, and returned through the same town in the evening, having one flag, two drums and two fifes, the members wearing Orange sashes and ribbons - - - - - -	8
	—	-- An Orange procession passed through this town on the 14th to a sham fight about three miles distant; they had a flag, music and party emblems; informations are ordered by the magistrates to be taken in the above cases alluded to - - - - -	10
	Market Hill -	-- 23 lodges marched in procession, beating drums, having 23 flags, and bearing the insignia of their order, &c. - - -	11
Down - -	Dromara - -	-- An Orange procession, with colours and music; the persons offending are ordered to be summoned - - - - - - (Sent up 17th July 1835.)	14

8106. By whom were those reports compiled?—They were extracted by me from the reports of the police officers in the province.

8107. And signed by whom?—Signed by Sir Frederick Stoven; that is done in order that the Lord Lieutenant may have it all before him at one view.

8108. Is it usual to make those remarks in a report to Government, expressing private opinions?—Yes; it is the inspector-general's duty to furnish all the information he can.

8109. Who is the person who put the private opinions which appear here; for instance, it is stated that a cock-fight took place, and that it was a pretence for getting up an Orange procession?—That is an extract from the chief constable's report; and I believe, that if had not been prevented, it would have been one of the most serious things that has occurred in the north of Ireland.

8110. Are all the observations of that kind extracted from the chief constable's reports?—They are.

8111. That is sent in to Government as an official report?—It is.

8112. Have you any other papers relating to these subjects?—I have a report from chief constable Giveen, dated 6 May and 23d July 1834, relative to persons summoned to Lisburn for marching in Orange processions; also relative to a procession that took place in consequence of the magistrates' decision at the bench. I have also a report from chief constable Giveen, dated 20th May 1835, enclosing copies of informations taken against persons assembled in Orange procession at

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Lisburn on the 4th of the same month. I have also a report from chief constable Nesbitt, dated 25th July 1834, relative to the Orangemen at New Town Limavady refusing to give bail, and of the magistrates refusing to commit them until the 28th; of their marching off in procession; and also stating that at Coleraine, in the absence of the mayor, the magistrates would not take any steps relative to the Orangemen. I have also a report from chief constable Griffin, dated 28th July 1834, relative to the riotous conduct of the Orangemen at the petty sessions of Dromore, Hillsborough, &c. I have also a report from the sub-inspector, dated 15 July 1834, relative to persons identified in Orange processions, with a return of their names;" also of those for second offences.

8113. Have the goodness to deliver in those papers.—[*The Witness delivered in the same.*]

REPORT from Chief Constable *Giveen*, enclosing copy of Report from Lieutenant *Donaldson* of the proceedings of the Orangemen at *Lisburn*.

Sir, Belfast, 6th May 1835.

I HAVE the honour of forwarding to you the enclosure copy of a report which I have received from the constable of police stationed at Lisburn relative to party display, and I beg to state, that if means be not adopted to prevent such occurrences there, serious consequences may result, as several scenes of a similar nature have lately taken place in that town and has been the cause of much excitement.

Colonel Sir F. Stoven, K. C. B. (signed) *Fielding Giveen*, C. C. P.

Sir, Lisburn, 5th May 1835.

I BEG leave to report to you, that on Monday evening the 4th instant, at half-past seven o'clock, a large assembly of people came into Lisburn on the Belfast road, escorting some Orangemen returning from Carrickfergus gaol, with fifes and drums, playing the Protestant Boys, Croppies lie down, &c. &c. They went down Bow-street, Antrim-lane, and up Chapel-hill by the Police-barrack and returned into town, where they separated. I and the party of police kept up a constant patrol until after 10 o'clock P. M., whereby the peace of the town was preserved. The Orangemen above alluded to were convicted for rioting in Lisburn on the 17th of January last, and ordered, at Belfast quarter sessions, for confinement.

F. Giveen, Esq. (signed) *James Donaldson*, Constable.

REPORT from Chief Constable *Giveen*, relative to Persons summoned to *Lisburn* for marching in Orange Processions; also of a Procession which took place in consequence of the Magistrates' decision at the Bench.

Sir, Belfast, 23d July 1834.

I HAVE the honour to state to you for the information of Government, that on the 13th inst. I received a report from the constabulary under my charge at Lisburn, that a very numerous procession of Orangemen took place in that town on the 12th instant, and that 29 of those who appeared in it could be identified by some of the constabulary stationed there.

On Tuesday the 15th instant I communicated this circumstance to a bench of magistrates assembled at Lisburn, who directed that summonses should be served on these persons, requiring their appearance at the next petty sessions to be held in that town on Tuesday the 22d instant.

This was accordingly done, and 20 so summoned appeared. I attended at that petty sessions yesterday; and, pursuant to your order of the 18th instant, I laid a copy of Sir William Gosset's letter to you on the 16th before the magistrates there for their guidance in this case.

Mr. Black and Mr. Williamson, the magistrates who attended, differed in opinion as to the propriety of making the persons summoned amenable for trial at the assizes. Mr. Black was of opinion that they should do so, Mr. Williamson was not, and in consequence of the interference of an attorney, it was ultimately agreed that the persons accused should be tried at the next quarter sessions to be held in Belfast.

The announcement of this decision was the cause of much exultation on part of the Orangemen, which was immediately followed up by a party procession taking place, with music, party tunes, party badges, &c., in front of the petty sessions court-house and through the streets of the town, which caused much excitement.

No written informations have yet been received as to those in procession at Lisburn on the 12th, nor has there been any bail entered by them.

An inquiry into the transaction I now report may have a salutary effect. Several of those who took part in the procession on the day of the petty sessions can alsobe identified, which I beg to state was a very tumultuous assembly.

I have the honour to be, &c.

Col. Sir F. Stoven, K. C, B. *Fielding Giveen*, C. C. P.

REPORT from Chief Constable *Giveen*, enclosing copies of Informations taken against Persons assembled in Orange Procession at *Lisburn* on the 4th May.

Capt. *David Duff*.

29 July 1835.

Sir, Belfast, 20th May 1835.

AGREEABLY to your directions of the 12th inst. I have the honour to forward to you the enclosed copies of informations received yesterday at petty sessions held in Lisburn, where I attended, and laid before the magistrates there copies of the reports sent to me by constable Donaldson, respecting party display, also copies of my reports to you; and I informed them of your directions on the subject; informations were then received.

If it may appear by the enclosed that there be sufficient grounds to sustain a prosecution, the magistrates will have the accused persons made amenable for trial at assizes, or quarter sessions, as you may direct; I am sure they must be aware of the necessity of adopting measures to prevent such improper conduct.

Ordered to make them amenable to quarter sessions. Mem. Book, No. 2, 22d May 1835.

Mr. Williamson, one of the magistrates, who signed the enclosed, when at petty sessions on the 12th instant, stated to the people assembled there, in a very impressive manner, that it was his determination to do all in his power in future to prevent party display.

I have the honour to be, &c.

Fielding Giveen,
Chief Constable of Police, Belfast District.

Col. Sir F. Stoven, G.C.B.

County of Antrim, to wit. } INFORMATIONS of William Mellon, sub-constable of police stationed at Lisburn in said county, who on his oath saith, that on the evening of Monday the 4th of May instant, a large assemblage of persons came into the town of Lisburn, whom deponent has reason to believe were Orangemen, and assembled for the purpose of escorting persons who had been discharged from Carrickfergus gaol, being there imprisoned for a riot on the night of the 17th of January last: Saith that there were drums and a fife in the said assemblage, and party tunes were played: Saith he heard the "Protestant Boys" played: Saith that, amongst the persons so assembled, he saw a person called William Bell and John Dixon; and saith, that he understands William Bell now lives at Orangefield, in the county of Down, and that John Dixon lives at Lisburn, and he believes said William Bell was one of the persons so returning from prison: Saith the said assemblage paraded through Bow-street, Antrim-lane and Chapel-hill in Lisburn; drums beating, and party tunes playing, and some of the persons in the assemblage cried out, "To hell with the Pope:" Saith that such assemblage of persons, deponent has reason to believe, tended to provoke animosity between His Majesty's subjects of different religious persuasions, and to disturb the peace of the town and neighbourhood of Lisburn.

Sworn before us, this 19th day of May 1835,

(signed) *Jos. Watson.*
R. Williamson.

William Mellon.

County of Antrim, to wit. } INFORMATIONS of James Donaldson, constable of police, stationed at Lisburn, who makes oath and saith, that on the evening of Monday the 4th of May instant, a large assemblage of persons came into the town of Lisburn, whom deponent has reason to believe were Orangemen, and whom deponent believes assembled for the purpose of escorting persons, who deponent believes were discharged from Carrickfergus gaol, being imprisoned for rioting in Lisburn on the night of the 17th of January last: Saith that the persons so assembled had amongst them three drums and a fife, and party tunes were playing, to wit, "The Protestant Boys" and "Croppies lie down:" Saith, that amongst the persons so assembled, this deponent saw a person named ——— Oliver, who was beating one of the drums, and also William Bell (who was, as he believes, one of the persons so returning from prison), John Dixon and Thomas Close: Saith that such assemblage of persons paraded through Bow-street, and Antrim-lane, and up Chapel-hill, the said party tunes playing, and several of the persons so assembled cried out, "To hell with the Pope:" Saith that such assemblage, deponent has reason to believe, tended to provoke animosity between His Majesty's subjects of different religious persuasions, and tended to disturb the peace of the town of Lisburn and neighbourhood: Saith that, as this deponent believes, ——— Oliver resides in Bridge-end-hill, and Bell resides at Orangefield, both in county Down, and Dixon and Close in Lisburn.

Sworn before us, this 19th day of May 1835,

(signed) *Jas Watson.*
R. Williamson.

James Donaldson.

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REPORT from Chief Constable *Nesbitt*, relative to the Orangemen at N. T. *Limavady* refusing to give Bail, and of the Magistrates refusing to commit them until the 28th; of their marching off in Procession: also, at *Coleraine*, in the absence of the Mayor, the Magistrates would not take any steps relative to the Orangemen.

Sir, N. T. Limavady, 25th July 1834.

I HAVE the honour to state, that agreeably to your memorandum of the 18th, I laid a copy of Sir William Gosset's letter before the magistrates at the several petty sessions of this district, and on receipt sent a copy to the magistrates in whose neighbourhood processions had taken place.

The N. T. Limavady petty sessions were held on the 22d, and the magistrates who presided directed me to order the sixteen persons who had been identified on the 12th to give bail on the 24th, on which day the magistrates met for that purpose; and the greater part of the Orangemen who had paraded here in procession on the 12th, came in parties and proceeded to the court-house, where they told the magistrates they were ready to go to gaol in a body, but that none of them would find bail. The magistrates said they would not commit any of them, but advised those identified to give bail, which was refused.

The Orangemen left N. T. Limavady in procession with flags and music. The magistrates will give a warrant to day against those for whom they had taken informations; and I have been directed not to execute it till Sunday night, as they have determined to commit the offenders to gaol on the 28th.

I attended the Coleraine petty sessions yesterday; Sir James Bruce, D. L., Messrs. Lyle, Richardson and Hunter presided.

The five men who had been identified at Arteclave were brought forward by order of Sir James Bruce, and the bench agreed to take informations against four of them on the 26th.

In consequence of the absence of the mayor of Coleraine, the magistrates did not interfere or take any steps against the persons identified in the Coleraine procession on the 12th.

I have the honour to be, &c.

To Sir F. Stoven, K. C, B. *F. H. Nesbitt*, Chief Constable.

REPORT from Chief Constable *Griffin*, relative to the riotous conduct of the Orangemen at the Petty Sessions of *Dromore, Hillsboro'*, &c.

Sir, Banbridge, 28th July 1834.

I BEG leave to report that the several persons identified in this district for walking in procession on the 12th instant, have given in bail for trial at the assizes, with the exception of three, whom the magistrates did not consider to have been guilty; and eight others who have been bound over for the quarter sessions by the magistrates at Dromore petty sessions, although they had a copy of Sir William Gosset's letter, requiring them to be sent to the assizes. I further beg to state, that at Dromore, Moira and Hillsborough, on the days of holding the sessions, that great numbers of Orangemen assembled and behaved in a very riotous and disorderly manner in the court; and yesterday at the latter place they rescued a drum that my Lord Downshire had seized, and, but for the prompt assistance of the constabulary, would have gone much greater lengths; we were assisted by the staff of the Down Militia and Castle-men; and I am happy to add, that about four o'clock in the evening they all dispersed, and the town was perfectly tranquil after, and no injury done.

I have the honour to be, &c.

Colonel Sir F. Stoven, K. C. B. *J. W. L. Griffin*, C. C. P.

Sir, Charlemont, 22d July 1835.

WITH respect to the communication I had with you this day relative to the issue of a quarter barrel of gunpowder, for the purpose of supplying Verner's men on the 15th January last, I beg leave to state that Mr. William Jackson, of Moy, had at that time no gunpowder whatever in his store, and any issued by Mr. Wear must have been from the Government store to him.

Colonel Sir F. Stoven, K. C. B. (signed) *Charles Atkinson*,
Chief Constable.

Mem.—It has been stated to me that Mr. Wear, storekeeper at Charlemont, delivered ball-cartridge to Captain Clarke, of a yeomanry corps, without any order, prior to the late burnings at Anahagh, county Armagh, and which ball-cartridge was the property of Government, and lodged in Charlemont stores for the use of the corps and for security.

Charlemont, 22d July 1835. (signed) *Charles Atkinson*,
Chief Constable.

A few days prior to the Anahagh burnings, George Wear, the storekeeper at Charlemont, issued a quarter barrel of gunpowder to William Jackson, of Moy, under the impression that the subsequent election party of Verner's would be indulged with a supply for improper purposes.

purposes. Mr. Wear is in strong league with Martin ———; it is necessary that Mr. Wear should have the Government order as well as the merchant's, whose property it may be; and yet without this order it was issued. Capt. *David Duff*. 29 July 1835.

Mem.—The above was written in my presence by Mr. William Jackson, of Moy, on the 22d day of July 1835.

signed) *Charles Atkinson*, Chief Constable.

Mr. Jackson states that he obtained a quarter barrel of gunpowder from Mr. Wear, storekeeper at Charlemont, without any removing license, for the purpose of eluding any Government inquiry, not being required to keep any account of powder so received, but that under the removing license.

Charlemont, 22d July 1835. (signed) *Charles Atkinson*, Chief Constable.

REPORT from Sub-Inspector *Hinter*, relative to Persons identified in Orange Processions, with a return of their Names.

Sir, Ballymena, 15th July 1834.

I HAVE the honour to inform you, that an Orange procession took place in this town yesterday evening, for the purpose of meeting and escorting an Orangeman into town, who had been liberated from gaol, where he had been confined for an assault on a Roman Catholic; the men named in the margin have been identified by constable Nolan and sub-constable Robert Hunters; there was no breach of the peace.

William Bar., John Davison, James Campbell, John Ban, Robert M'Cawill, William Best, John M'Iree, Henry M'Clellan, Samuel Ferguson, William J. Davison, James Davison, James Grant, ——— Ferguson.

I have the honour to be, &c.

Colonel Sir F. Stoven, K.C.B. *E. S. Hinter*, Sub-Inspector.

RETURN of those identified by the Police, that marched in procession in *Portadown* on the 12th of July 1834.

NAMES of OFFENDERS.	PROSECUTORS.	Whether First or Second Offence.
John Hamilton, D. M. Thomas Dawson	Constable William Stratten	Second offence.
Robert M. Winters ——— Lewis	Curran Woodhouse, esq. J.P.	Second offence.
George Mathers Samuel Falloon	Sub-Constable John Jackson	Second offence.
Mortimer Woodhouse ——— Watson William Lyons	Sub-Constable John Lamb.	
	LOUGHGALL DISTRICT.	
Abraham Allen	Constable Thomas Wilson	First offence.

Portadown, 18th July 1834. *Charles Atkinson*, Chief Constable.

8114. Have you any Orangemen in the police?—Not that I know of.

8115. As you are not an Orangeman yourself, you cannot speak from your own knowledge to the existence and extent of Orangeism in the police?—I never belonged to any club or society but one.

8116. Of what religion are you of?—A Protestant, and all belonging to me.

8117. Is it not the case that any man in the north of Ireland, who, in the discharge of his duty as a policeman or a magistrate, acts with perfect impartiality, and only with a view to do his duty, for the preservation of the public peace, will be called by the Orangemen a Papist, generally speaking?—Yes, he will.

8118. Did you ever hear Lord Gosford called a Papist?—I never myself heard him called a Papist; but I have heard of his being called a Papist.

8119. And Sir Frederick Stoven has been called a Papist?—Yes, and I have heard Mr. Strong, the magistrate, called a Papist, and I have heard Sir James Strong himself called a Papist.

8120. So that it is not requisite to be a Roman Catholic to be called a Papist, in the north of Ireland; but if a man acts fairly in his duty as a magistrate or a police officer, he is denounced as a Papist by the Orangemen?—Yes.

8121–2. Are there among the policemen, according to your impression and your conviction, many Orangemen?—I believe that a great part of the Ulster constabu-

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lary are composed of men that are the sons of Orangemen, and that were Orangemen; but whether they now sit in lodges, or do any thing in that way, it is impossible for me to say; I have known one or two men myself in my own district that I was told had been masters of lodges, but I never saw any thing in them to lead me to think that those individuals were at all biassed by it.

8123. Have you ever found it your duty to discharge men from the police on account of too strong a party feeling which they evinced as policemen?—I have.

8124. When?—After the 12th of July; the present month.

8125. How many did you discharge, and for what reason?—I reported one for dismissal on the 13th or 14th of July, and the Lord Lieutenant sanctioned the dismissal of the man; and I reported two others for partial conduct about the 17th of July; and when I left Ireland their dismissal had not come down; but it was recommended, and I suppose that before this the men have been dismissed; I speak now of my own district.

8126. Are there many of the chief constables Orangemen, or tinctured with party spirit as Orangemen?—I do not know of any of them being Orangemen myself.

8127. There were two men who were dismissed from the police in consequence of not acting as it was thought they ought to have done with respect to the men that committed the depredations at Anahagh?—There were two men removed, not dismissed; they were removed on my recommendation. I proceeded to assist Mr. Jones, a stipendiary magistrate, to execute warrants granted against certain persons for the burning. I was a stranger; it was out of my own county; I called upon the serjeant, in whose district it was, to know the houses of certain individuals, and he pleaded ignorance, though I believe he had been stationed near to it three years at least.

8128. Within what distance of the place was the serjeant?—I suppose it was not more than a mile and a half from the station.

8129. In the return of the Freemasons' processions, it is stated, "at Grange, in the county of Antrim, a procession appeared, and on their retiring they were attacked by Ribandmen; several were wounded by stones thrown; to be investigated on the 1st of July?"—It was in the county of Antrim; and it was investigated by Mr. Jones, a stipendiary magistrate.

8130. That is a report sent in by the constable to Government; and that constable, in his report to Government, states that the procession was attacked by Ribandmen, that procession being a Freemasons' procession?—Yes.

8131. And according to the statement in that report, it appears also that those Freemasons' processions were many of them composed partly of Catholics and partly of Protestants?—So it appears.

8132. Can you state to the Committee your opinion as to the cause of that attack?—As well as I recollect, there were two parties of Freemasons at that place, one were the Protestant Freemasons, and the other the Roman Catholic Freemasons; in this case, I think, it was exclusive on both sides.

8133. They were attacked by a party of Ribandmen?—They were attacked by a party of the Roman Catholic Freemasons.

8134. And these processions are reported to the Government as Freemasons?—Yes.

8135. Is not it usual for the Orangemen to denominate all persons meeting to oppose them in a body as Ribandmen?—It is the usual term given to them.

8136. And on the other side, when there is any violent party spirit, it is usual to call them Orangemen?—Yes.

8137. Of whatever parties they may be composed, if they are violent upon the one side they are called Orangemen, and if they are violent upon the other side they are called Ribandmen?—Yes, that is exactly it.

8138. How long have you been a chief constable?—Since the year 1825.

8139. How long have you been stationed in the county of Tyrone?—Since the year 1826.

8140. Through whose interest did you get your appointment?—The late Sir Nicholas Coulthurst, Member of Parliament for the county of Cork, through Mr. Goulburn.

8141. Are you a county of Cork man?—No.

8142. What part of Ireland do you come from?—I was born in Dublin.

8143. Who is Mr. Atkinson?—He is the chief constable stationed at Moy, in the county of Armagh.

8144. Had he been stationed in the county of Londonderry?—He had, at Newton Limavady.

8145. Who is Mr. Wear?—He is a very respectable man, the storekeeper at Charlemont; he holds, I believe, the highest confidential situation in that way.

8146. Is he an Orangeman?—I do not know any thing upon the subject, except that I take for granted that he is not a Roman Catholic, because I have always heard that a Roman Catholic was excluded from being a storekeeper.

8147. You mentioned a person of the name of Captain Clarke?—He is mentioned in the report I read from Mr. Atkinson.

8148. Do you know whether he is upon terms with Colonel Verner?—I never heard that there was such a man before.

8149. Do you know Captain Wade of Omagh?—I do.

8150. What kind of man is he in the discharge of his duty; is he lax in the discharge of his duty, or does he discharge it properly?—If there is no material point in question, I would rather not give an opinion upon a brother officer.

8151. Then is your opinion against him?—No, it is not.

8152. Does he discharge it honestly?—I believe as honourably and as honestly as any man.

8153. He is then a respectable and well-conducted officer?—He is as honourable and as high-minded a man as I know.

8154. Did you ever hear him called a Papist?—After his report on the Orangemen at Omagh; and there is now at this instant, I believe, a presentment lodged for several panes of glass broken night after night in his house at Omagh.

8155. Did you ever hear him called a Papist?—I had no opportunity of hearing it, for I never was on duty with him on an Orange business.

8156. Is he ever heard of at Dungannon?—Yes.

8157. Are there not a good many Orangemen at Dungannon?—Yes.

8158. Do not they know that he is in the police department?—They do.

8159. Did you ever hear any of them call him a Papist?—I cannot recollect that I ever have, but it might have been so unknown to me, and he cannot be in greater ill-favour with them than to break his windows.

8160. Then is it the fact that every body who has discharged his duty is called a Papist?—I think it applies generally to the police, and I could show I am borne out by facts; they were going to shoot the sub-inspector in the county of Down twelve months ago, of which I can produce a document; they called him Papist Crofton.

8161. You think that demonstrates that every man who discharges his duty impartially as a magistrate or policeman is called a Papist in Ireland?—In the north, but not in all Ireland, because I believe there is no such party feeling in the south of Ireland.

8162. Then this word "Papist" means one who is not in fact one of the Protestant party in the country?—It is used in this sense, that people who have any thing to do in opposing the Orangemen are called Papists.

8163. And on the other hand, the phrase "Orangeman" is applied in the same loose way?—It means either that, or that he is a good Protestant.

8164. If a man is of the Protestant party, he is called an Orangeman?—Yes, I think he is; it is just as I said before, the two are called, one an Orangeman and the other a Papist.

8165. Without any relation to their being either Orangemen or Papists at all?—Yes, I should say so.

8166. You say that Sir James Strong has been called a Papist?—I have heard them both called Papists.

8167. They are perhaps not good Protestants?—I should hold them very good Protestants, very high Protestants; but any man that takes a part against the Orangemen is called a Papist.

8168. Who is Mr. Crofton whom you mentioned as being called a Papist; is he the gentleman that went during divine service to take down a flag from the tower of a church?—The same man.

8169. During the time of divine worship?—During the time of divine worship, ordered by the clergyman so to do; he had got his requisition.

8170. Who is the clergyman?—I am not sure of his name, but it was on his requisition that he acted.

8171. Did he get a requisition to come and take it down during the performance of

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of the service?—I am not sure whether the word was " during divine service," or " after divine service "

8172. Did you see the requisition?—So well as I recollect, I did.

8173. Was the flag up before the performance of divine service?—I should say it was from the sub-inspector's report.

8174. Is not it usual in the north of Ireland to hoist flags upon the churches on certain days?—Yes.

8175. Has it not been so for many years?—It is an old custom.

8176. Now do you think it a judicious thing to go to a church during divine service, for the purpose of removing a flag upon the tower?—If you question the prudence of it, perhaps another time might be taken better, but when we are under the orders of a requisition, we must obey it.

8177. But supposing the requisition did not require it to be done during divine service, you think it was irritating and offensive to go in and take it down?—I think Mr. Crofton had got the requisition before the service commenced, and that when he brought the police to the church he found that they were not sufficient, and then he called out the military, and that in the interim the church service commenced.

8178. And then he went forward during divine service to take down the flag?—No, he went in to the clergyman to give him his advice that it would not be prudent to do so, and it was not taken down, though stated in the paper that it was, at least we had no report that it was.

8179. Did it continue flying all the day?—I believe it did.

8180. Did Mr. Crofton go into the church?—I believe he went into the church to speak to the clergyman as to what steps he was going to take, and they both agreed that it was not prudent to do it.

8181. And this whilst the service was going on?—Yes.

8182. The communion service?—I do not know what part of the service it was.

8183. You were not there yourself?—No.

8184. Can you conceive any thing more irritating to a set of Protestant people, than that they should be disturbed in that way during the performance of divine service?—That is a matter between the clergyman and the sub-inspector.

8185. What is your opinion?—My opinion is, that a better moment could be taken, if time would admit.

8186. Do you think that any thing could be more provoking to a congregation of Protestant people, than to have the worship disturbed in that way?—I think it must be provoking to any sect, either Protestant or Catholic, to interfere with their religious worship, but I do not wish to give my opinion as at all censuring Mr. Crofton.

8187. Mr. Marcus Costello came into your town of Dungannon, did not he?—He did, twice.

8188. He is a very remarkable and conspicuous character in Ireland of late years?—I read of him as such.

8189. Is not he one of those persons who have been attending meetings in Dublin, of Roman Catholic associations, and anti-Tory associations?—I have read of him as such.

8190. Is not he the leader of the trades unions?—He may be so.

8191. A great anti-tithe man?—Yes.

8192. And underwent a sentence of imprisonment for his anti-tithe exertions?—I heard that he did.

8193. Do you think he was a person that would not be very acceptable to the Protestant people of Dungannon?—I think he was employed by Orangemen at the quarter sessions, and succeeded for them, and that he was brought down by a Protestant to defend his case; therefore, I think, he would be acceptable in one sense as a professional man, and I do not think he would in another.

8194. Do you think that Mr. Costello, coming through the town of Dungannon at the head of a procession of Roman Catholics, would be a welcome visitor?—Certainly not, as a Roman Catholic.

8195. Was there not a great collection of Roman Catholics got together for the purpose of receiving him and taking him in triumph through the town?—It was reported so.

8196. Was not there a bellman sent through the town to collect them?—Yes there were two different occasions. On one occasion Mr. Costello entered the town of Dungannon as a public individual, and the second time he came down as a professional man, which was the 1st of July last year.

8197. The question refers to the period when Mr. Marcus Costello went up to his

his native country, and took the route of Dungannon?—I was present, and I prevented his coming in; I told him he should not do it.

8198. Was not there a great assemblage of Roman Catholics, for the purpose of taking him in triumph through the town?—There were a great many Roman Catholics for the purpose of meeting him and bringing him in.

8199. Was not the peace of the town greatly endangered by it?—Both parties were assembled in opposition to each other; one party for protecting him, and the other party for pulling him off the coach.

8200. It being given out that he was to be brought triumphantly through the town?—It being given out that he was coming there on some mission, but the bellman was not sent out upon that occasion.

8201. Was not there considerable apprehension entertained for the peace of the town?—There was.

8202. Were not affidavits sworn before the assistant barrister of the county, to the effect that the public peace would be greatly endangered if this procession were allowed?—There was; I think I swore an affidavit myself.

8203. Did not you receive counsellor Nunn's directions to take measures to prevent it?—I laid the affidavit before Mr. Nunn and the bench of magistrates, and it was Mr. Nunn's direction that certain measures to prevent a breach of the peace should be taken, and I think I then stated that if that was not done, there was great danger from the Orangemen setting upon Mr. Costello and the Roman Catholics opposing them, that a breach of the peace would take place, and I went and met Mr. Costello, and prevented him from coming through in a public manner, and I conveyed him through the town of Dungannon, keeping both parties aloof.

8204. Was not it given out that he was to harangue the people in the town?—It was.

8205. Had not there been a variety of experiments made upon the northern parts of Ireland by different agitators at that time?—As to the north of Ireland generally, I have no opportunity of knowing, but I have heard so.

8206. Do not you recollect that gentlemen from Dublin came down to address the people, for example, Mr. Lawless?—I do not think I ever read ten lines of any thing that passed either in the Catholic Association or the Conservative, nor perhaps 20 debates in Parliament.

8207. But you have not stopped your ears so completely as not to have heard of the fame of Mr. Lawless?—Certainly not.

8208. Do you recollect his expedition to Ballibay?—Perfectly.

8209. Was not that a business that was calculated to produce very great disturbance in Ireland?—It had some effect upon the people about Dungannon, because the people were determined to oppose him there.

8210. How far is that from Ballibay?—I suppose 25 or 30 miles.

8211. And this reached even to Dungannon?—I believe it reached all parts of Ireland.

8212. He was to have gone to Ballibay at the head of a monstrous number of people?—I do not know what his route was or his intention, except that Mr. Lawless was to have entered the town and to address the people, and he was opposed by Mr. Grey at the head of a body of Orangemen.

8213. Were not those matters calculated to disturb the north of Ireland?—I think any thing of the kind on either side must tend to do so.

8214. Do not you know that the Riband Association has spread itself very much through Ireland?—I have no reason to know any thing of it.

8215. Do you believe that the Riband Association has spread itself much through Ireland?—I have never been able to trace Ribandism myself in my official capacity as chief constable.

8216. What is your belief?—My belief is, that Ribandism is in Ireland, from what I hear.

8217. Do you believe that it exists extensively in Ireland?—Whether it exists extensively, I have no means of knowing, either one way or the other.

8218. You are the secretary of the inspector-general?—I am.

8219. Do the reports pass through your hands?—Yes.

8220. Have you had any reports of disturbances caused by Ribandmen?—On the 17th March, Patrick's day, there had been several processions reported, and some styled them Ribandmen, and some styled them otherwise, but the general term given to Freemasons and persons that turn out on the 17th of March is Ribandmen.

8221. Are the Committee to understand that you do not believe there are such

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things as Ribandmen, properly so called?—No; I stated that, from my own knowledge, I have no means of saying, but from what I have heard I believe it exists.

8222. Although you could never trace it, you believe yourself that such associations do exist?—From conversations, and I have in my own district received information of Ribandism, but though I set my wits to work I could never trace it.

8223. Is it your belief that if it does exist at all it is a secret association?—All associations, I believe, are more or less secret; I should suppose that neither Ribandmen or Orangemen would come forward and put me in possession of their signs and customs.

8224. Then there is no way of getting actual knowledge of them, except by either yourself becoming a Ribandman or having information from persons that belong to the body?—I should suppose that if Ribandism did exist, out of a police of 1,200 men we should be able to bring some case to bear, but in my experience we never have.

8225. Have you tried to bring cases to bear against Ribandmen?—Every exertion has been used against all parties; the persons that held processions upon the 17th March have been styled Ribandmen, and they have been ordered to be prosecuted, and I think in Down last year they were prosecuted.

8226. Carrying green banners and so forth?—I think there were banners.

8227. Did you ever happen to hear that a body of a great many thousand Ribandmen took up their position upon a hill within three or four miles of the sessions town of Magherafelt, and sent defiance to the Orangemen of the district to meet them and fight for their hill?—If I mistake not, that is a case in which my own father-in-law, Mr. Shiel, a magistrate, was concerned with Mr. Spencer Knox, and I heard the whole thing talked over from beginning to end.

8228. Is not Mr. Shiel a Roman Catholic?—No, he is not.

8229. When did he become a Protestant?—I never heard that he was a Roman Catholic in my life, but I will state what I did hear, that he had a seat in the Presbyterian house, a seat in the chapel, and a seat in the church; but though he is my father-in-law, I never had a conversation with him upon religion in my life, and I know that the Orangemen generally go to him for advice.

8230. Did you receive full information of this transaction, in which Mr. Shiel, as magistrate, and Mr. Spencer Knox, took an active part?—I received information, not officially; it was nothing more than mere casual conversation after dinner, with Mr. Shiel and Mr. Spencer Knox and Captain Crossley.

8231. Did you hear that there did assemble within three or four miles of the sessions town of Magherafelt, while the assistant barrister was seated there doing his duty, many thousands of Ribandmen, who took military occupation of that hill?—I never heard them styled Ribandmen that I recollect; I heard that both Orangemen and Roman Catholics assembled on the hill, and that they fired a few shots at each other, and that when the assistant barrister was sitting at the quarter sessions at Magherafelt, the Orangemen broke in and rescued the prisoners.

8232. Which of those gentlemen was it that told you that the Orangemen rescued the prisoners?—As well as I recollect, it was Captain Crossley, who was condemning the conduct of the Orangemen for the same rescue.

8233. Did he state that they rescued them from the court-house while the assistant barrister was sitting?—I think it was either the quarter sessions or the petty sessions that were going on, but that the men were rescued out of the court-house.

8234. Was that private conversation?—It was, and not at all official.

8235. Did that information furnish you with the fact as to the number in which those Roman Catholics assembled?—It did not, more than general conversation.

8236. Did you not understand that there were many thousands?—Yes; I do not remember whether I heard that there were hundreds or thousands, but that a great assemblage of both parties were there, and they contended for the hill, and that they fired some random shots, and that the magistrates were in danger of being shot.

8237. Did you hear that the Roman Catholics came two days before the 12th of July to take possession of that hill?—I never heard which party was contending for the possession, or which party had it; I might have heard it at the time, and I think Mr. Spencer Knox read me his report in the town of Dungannon.

8238. Did you hear that the military were brought in considerable force, for the purpose of preventing the Roman Catholics from engaging with the Protestants?—I heard that the 64th were there, for I recollect that I heard Mr. Knox speak of their coolness in high terms; but whether they were brought there to suppress the Orangemen or the Roman Catholics, I do not recollect in the least.

8239. Did

8239. Did you ever know an instance where the Roman Catholics intending to have a procession upon the 17th of March, the Protestants came two days before to take possession of the place?—I cannot call to my recollection that I ever did.

8240. Do such processions constantly take place upon the 17th of March?—I think some took place last year, national processions.

8241. Do you know whether or not there are arms amongst the lower classes of Roman Catholics in your district?—There are.

8242. You call them national processions; are those processions exclusively Roman Catholic?—I never saw a procession of the kind that I recollect, but I believe that they are generally composed of Roman Catholics.

8243. Your idea then is, that Ireland is a Roman Catholic nation?—It is a national custom upon the 17th of March for a man to put up his shamrock.

8244. You consider then that those processions upon the 17th of March are national processions?—It is impossible for me to form an opinion what they proceed from, but in the north of Ireland they are stated to be composed of Roman Catholics; but I never knew a procession that I can recollect, except the one reported in this book, which I reported to His Majesty's Government.

8245. Have you ever heard of Roman Catholics being ill-treated for not joining those processions upon the 17th of March?—I do not recollect ever hearing any thing of the kind.

8246. Did you hear of any gunpowder being seized from a person in the town of Dungannon?—I did; by my order it was seized.

8247. When was it?—I think in the month of November or December.

8248. Who was it seized from?—A man of the name of Peter Nugent, by my own order, on my own responsibility.

8249. Who was he?—I think he was a Roman Catholic.

8250. What quantity of gunpowder had he?—I think 21 lbs.

8251. Did you trace where he got it?—Yes, and recommended him for prosecution to Government; he stated that he got it from a nephew of his that came from Scotland, and lived with a gentleman of the name of Davidson, in the town of Dungannon; and I recommended to Government that both should be prosecuted, and they took steps accordingly; and he sent a petition to the Lord Lieutenant, stating his distress; it was sent to me to report on, and I reported, that from what I had heard from inquiry, the man living in a cellar, they might as well ask the man for 5,000*l.* as for a penalty of 50*l.*; and I heard that the Government did not prosecute him, in consequence of his distressed situation, and his explanation that he got it from his nephew. The first man he went to to sell it was a powder vendor, showing that if he had any illegal intention he would not have exposed it in that way.

8252. Do the people register their arms at the quarter sessions?—Partially; I mean, that I may meet eight or ten men coming off the table, and saying, "We are getting our guns registered."

8253. Does not that go forward to a considerable extent?—I believe there is a day for registry of freeholds, and a day for registering arms; and I think the quarter sessions before the last I saw a good many registered.

8254. Do you believe there are many arms unregistered?—I believe there are arms to a great extent.

8255. Amongst the lower orders of Roman Catholics?—Amongst both sides.

8256. Do you think there is an equal number amongst the lower order of Protestants unregistered?—I do not think there are, because many of the lower order of Protestants in the north of Ireland are yeomen; and I believe, under the Act they can hold yeomanry arms without reference to a register.

8257. Do you believe that the majority of the Protestants in the north of Ireland are yeomen?—I believe they are.

8258. And do you believe that their arms are registered?—No; yeomanry arms are not subject to registry.

8259. But they are known?—Yes, they are known by the captains of the corps, but not by the police or magistrates.

8260. Do you consider that the arms that are not registered are in the hands of the lower order of the Roman Catholics?—No, I say that the greater part of the lower order of the Protestants in the north of Ireland are yeomanry; but there are some that are not in the yeomanry.

8261. You do not pay so much attention to that business at the quarter sessions as to be able to say what class of people register the arms at the quarter sessions?—

sions?—No, I cannot; I have seen very respectable men on both sides register their arms.

8262. Do you think it would be a good thing at once to put down all Orange Lodges in Ireland?—My answer to that is, that all associations should be put down; Freemasons, Trades Unions, Orangemen and all others; and you will never have peace and quietness without it.

8263. You think it would not be a good thing to select one out of several secret associations, and suppress it, and let the others remain?—Certainly not.

8264. Do you think it would be injurious to the public interest to select one particular association, and suppress it, and leave others of an opposite character standing?—I do.

8265. Extremely injurious?—Yes.

8266. Your opinion is, that all secret associations of every kind are positive evils in any community?—I think they are turned to party purposes in Ireland.

8267. Do not you think that the existence of secret associations amongst one portion of the people of Ireland of a particular persuasion, renders likely the formation of other secret associations amongst persons of an opposite description?—As to associations, I have no reason to know that there is any association but the Orangemen and the Freemasons.

8268. Would not the circumstance of secret associations being formed amongst the Roman Catholics in Ireland naturally lead to the formation of counter secret associations among Protestants?—Yes, I think action would create re-action in Ireland decidedly.

8269. And the reverse?—And the reverse.

8270. Do not you think, that if secret associations were suffered to exist amongst the Roman Catholics, and there were none suffered to exist amongst the Protestants of Ireland, that that would not be fair dealing?—I think there can be no question of that, that one party has as much right to have it as another; but I believe you will never have peace as long as they exist.

8271. Do not you think that any measures to put down one, leaving the other existing, would naturally excite a great deal of exasperation and bad feeling on the part of those that were suppressed?—I think it would.

8272. Have you ever been stationed officially in the province of Munster?—Not in Munster; I was stationed officially in the province of Connaught, in Major Warburton's province; I had the charge of a district for a year.

8273. You stated that you heard that an Orange procession took place, at which Lord Castlestuart was present; are you aware that Lord Castlestuart is not an Orangeman?—I am not aware what he is; I never saw him but once.

8274. Can you state to the Committee whether you have reason to know if Protestants who are not Orangemen, join and form part of Orange processions?—I have heard that a good number of processions have been accompanied by men that are not Orangemen.

8275. Wearing colours, the same as Orangemen themselves?—Yes.

8276. When you say "accompanied," do you mean marching in the procession?—They generally march two deep; a man has been pointed out, and it has been said, he is an Orangeman, or he is not an Orangeman.

8277. Did you hear that they were in the procession, or merely accompanying them?—I should take it either way; they might have been in the procession, or they might not.

8278. Can you state from your own knowledge, or from any information which as secretary to the inspector-general you have received, whether Roman Catholics are not often waylaid and beaten by other Roman Catholics, and the reason assigned because they would not become members of the Riband Society?—I have no reason to know it; and I have no reason that I can call to recollection to believe it; it may have been the case without my knowledge.

8279. Did you ever hear it?—I might have heard it, but I do not recollect that I have.

8280. Did you ever hear of Protestants being beaten or insulted, or taunted by Orangemen for not being members of the Orange society?—No; but just in the same way it might have occurred without my knowing of it.

8281. Do you conceive that as good a feeling exists between Orangemen and Protestants not members of the Orange society, as between the Orangemen among themselves?

themselves?—I believe that an Orangeman will stand by an Orangeman better than he will by a Protestant not an Orangeman.

8282. Did you ever know of the existence of a Riband lodge?—No.

8283. Do you conceive it possible that those lodges should extensively exist without your having information with regard to them?—I should be sorry to impugn the conduct of the constabulary as far as to suppose any could exist without their being found out.

8284. You would conceive it impossible that they should meet regularly in a certain place without information being conveyed to you?—Not impossible; two or three times I have received information that in such a place they would sit, and I have employed people to find it out, and I have set people as spies, but I never could discover any thing of the sort.

8285. Was the result of your inquiries in either of those instances, an impression that a Riband lodge did or did not exist?—The impression upon my mind was, that twelve or thirteen Roman Catholics were congregated and drinking; they turned out to be tradesmen, and we could not find out that any thing was going forward.

8286. You instituted an inquiry in consequence of information you received?—I did, in two or three cases.

8287. And on one occasion you ascertained that certain tradesmen, Roman Catholics, to the number of about thirteen, were in a certain house drinking?—I never heard whether they were Catholics or what, but they were styled to me as Ribandmen, and I afterwards heard that they were entering into some combination about a baking system,—they turned out to be bakers,—something between them and their masters.

8288. Did you continue your inquiries so as to ascertain whether the parties met again subsequently to that meeting?—No; I did not continue my inquiries, because they turned out to be a number of bakers meeting together.

8289. Can you state any other instance?—The only instance was a case up at Pomeroy, where I set the police at work, and I myself paid a Roman Catholic eight or ten shillings, and he told me that he would find out information, but after he got the ten shillings he never came back. I sent to the house several times and it appeared that the information was not correct, and that the people did not assemble there, and I was done out of my money.

8290. Are those the only instances in which information was conveyed to you of there being Riband lodges?—Those are the only instances I can recollect.

8291. Are there any instances which have come within your own knowledge of persons meeting in a lodge, and there arranging proceedings for Riband processions?—Never.

8292. Have you any reason to suppose that any such lodges exist extensively throughout Ireland, and correspond with each other?—I have no reason to know it.

8293. Have you any reason for believing that there is such a system of association in existence?—When I receive information of that kind, I generally sift the thing to the bottom, and in one case I received a report of 5,000 men, some of them armed, styled Ribandmen, and when I came to inquire (it took two or three days) I found it was not the case; that they were Roman Catholics protecting a chapel, which it was stated was to be pulled down, and then the report raised through the country was that the Ribandmen assembled, and upon that occasion I made every inquiry.

8294. Did you find that there was any intention on the part of the other party to pull down the chapel?—It was only a vague rumour, but the rumour was circulated that a body of Orangemen were to assemble for that purpose.

8295. Then the result of your inquiry was this, that a body of Roman Catholics assembled to prevent the chapel being pulled down in consequence of a rumour that it would be pulled down by the other party, but that that rumour was without foundation?—The report states, "that their only object in doing so was to protect a chapel in that neighbourhood which, it was reported, would have been pulled down on that day by a procession of Orangemen; the report was without the slightest foundation, as no Orangemen appeared in that district of country on the 5th instant, and the Roman Catholic party dispersed in a peaceable manner." That was on the 5th of November, when they were expected to assemble on the anniversary of the Gunpowder Plot, to pull down the chapel.

8296. You do not know but that it may have been a report set on foot for the

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the purpose of sanctioning that multitudinous meeting?—I do not know what the object was.

8297. Might not this have been the fact, that the Orangemen might have contemplated the destruction of the chapel, but that learning that a meeting of 5,000 people was there, they did not make their appearance?—That was the general impression. There were some pensioners examined upon it, who could give us the best evidence, being persons in the payment of Government; and the result of the inquiry was, that the Orangemen were expected to have come; but they did not appear.

8298. Were 5,000 assembled on that occasion?—It was stated that there were from 3,000 to 5,000 men; it is a very mountainous country.

8299. Is that a place where the population is chiefly Roman Catholic?—The mountainous part of the country is chiefly Roman Catholic, and this occurred between the mountainous parts and the lowlands where the Protestants were.

8300. Do you remember any meetings near Aughnacloy for the purpose of opposing turnpikes?—I do.

8301. Of what description of persons were those meetings composed?—The meeting in the county of Monaghan, which was on the other side of Aughnacloy, was, I heard, composed of Protestants and Catholics, and the meeting in the county of Tyrone was, I believe, composed of Protestants.

8302. This one at Aughnacloy, what was it composed of?—I have heard from private information that it was composed of Protestants

8303. Were you employed upon that occasion?—I was.

8304. Was there any hostility between the Protestants and Catholics upon religious grounds?—Not that I am aware of.

8305. Did any one, to your knowledge, tell the Protestants that they were betrayed by the Roman Catholics?—I do not recollect; it might have been.

8306. Did you yourself say so?—I might have said so.

8307. Are you quite sure whether you did or not?—No, I am not; but if I were to say positively either way, I would rather say positively that I did not say so.

8308. Did you exert yourself in a conciliatory manner upon that occasion?—I did all I possibly could.

8309. Do you remember the murder of Samuel Bourtray?—I do.

8310. Did that gentleman employ many persons, amounting to hundreds?—He employed a great number of persons for spinning flax and so on.

8311. Was he an Orangeman?—I believe he was.

8312. Was he a lieutenant of the yeomanry?—I have reason to believe that he was.

8313. Were you informed of the murder on the day that it occurred?—No, not on the day; I was informed of the murder on the night of the day when it happened; he was shot at five o'clock in the evening, and the first intimation I got was at ten o'clock at night at the earliest.

8314. Did you attend immediately?—No, I sent the police from the door where I was.

8315. What was the cause of your not attending?—I am unable to say; whether it was that I was otherwise employed, I am not prepared to say that I was; but I hold myself responsible, and it rested with my own discretion what means I took. I sent the police force, I turned out the entire police; I said, go first to Mr. Revell and send another party in the direction of Moy, and above all things take up the man that left Mr. Bourtray in the carriage. The constable's answer was, "Sir, he is a respectable man." I said, "No matter what he is, take him, for he must know something about it."

8316. Did you not say in Dungannon that you had a dinner engagement at Dungannon on the day before, and you thought it unnecessary to attend in person?—I do not think a single man asked me a question that could have brought out that answer; Mr. Revell said, "I wish we had had you last night." "Oh!" I said, "I was at Evans's when I heard of it first, or coming away from Mr. Evans's."

8317. Have any persons been brought to justice for that murder?—None; we made every exertion.

8318. You

8318. You said yesterday, that you would risk your life to cut down an Orange arch?—Yes, or any other arch.

8319. Do you think that your conduct with regard to detecting the murderers of Mr. Bourtray showed equal zeal?—I did all that was possible for a man to do, which I will show under original documents; with respect to risking my life to cut down an orange arch, as long as I hold a Government employment, I should say that life is not to be considered in the execution of any duty.

8320. Do you not think that such extraordinary apathy and neglect of duty, when so valuable a man as Mr. Bourtray had been murdered, he being an Orangeman, contrasted with your active discharge of duty and personal exertions in cutting down an arch which certainly had spilt no blood, would be likely to give the Protestant population an idea that you at least were not disposed to dispense even-handed justice?—It was always my wish to do so; my exertions were strained to do so; I have always taken that line of conduct. Perhaps the Committee are not aware that I am sworn to do my duty in the following words, "without fear, favour, affection, malice or ill-will."

8321. You stated yesterday that you would have taken down the arch in Dungannon in 1830 at the risk of your life?—Decidedly; I should consider myself unfit for my situation if I would not do so.

8322. Are you aware that that was previous to the Act against processions?—I do not understand the Acts, and I have not the order with me now; but I was ordered to take down all party and triumphal badges, and in obedience to that order I said, "Gentlemen, there is my order, and that I will go through with."

8323. You stated that you would have been ready to take down the arch at the risk of your life, although you say there was no breach of the peace, had you not been prevented by the majority of magistrates?—The people assembled told me, "Captain Duff, you are the only man that dare touch that arch." I desired to have a ladder brought, and I said "I will mount that ladder;" they said it would be at the risk of any man's life to go up the ladder and take it down, but I said I would do it.

8324. You stated that the magistrates, with the exception of one, came to the resolution not to interfere?—They did.

8325. Did you hear that that individual said that he would have placed a gun at the end of the street and made a lane through the crowd?—I did not hear it, but I myself recommended it to the magistrates; said I, "Let me take down the arch, bring out Captain Sabine with his gun to cover the houses, and I will insure you the arch down; depend upon it it is all blarney," or something of that kind, "with those men;" and I left the men there during the meeting of the magistrates, and I said, "This step of marching us down and marching us back again must have a bad effect; it shows that we are not able to put the law in force, or that we will not do it."

8326. Did not the crowd consist of men, women and children?—It consisted of all sorts; I do not know whether there were women and children about the crowd, but there were in the houses and in the street.

8327. What exertions did you make for the purpose of discovering the murderers of Mr. Bourtray?—Having sent the police out in chase before in all directions, I proceeded to the inquest, accompanied by Mr. Murray, the magistrate, and I left the police there for 20 hours without coming home. At Mr. Bourtray's I gave the policemen the private information I received, and assisted in harnessing Mr. Bourtray's pony and putting the two policemen in his buggy and sending them off to endeavour to trace the nails of the shoes of the men, and they did trace them. I had two or three other persons apprehended and brought before the magistrates, and they were discharged.

8328. Will you state what other steps you took upon the occasion?—I ordered the police at Moy to arrest two or three suspicious persons, and I think two were arrested and brought into Dungannon; they were examined by the magistrates, and they were liberated. I had a conversation with Mr. Murray, the magistrate, as to the steps to be taken, and he recommended that summonses should be issued, and I directed the police to obtain summonses. I thought it better to summons too many than too few. Here is a certificate of the clerk of the petty sessions with respect to what I did; "In the matter of the murder of Simeon Bourtray, I do hereby

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certify that the police, under the command of Captain Duff, at Dungannon received summonses for 30 witnesses, out of whom the under-named 13 were examined by R. Murray, esq. J. P. and others, on the 29th December 1834. Arthur Fullan, Petty Sessions, Dungannon." Here are the names of the 13. I then appealed to Mr. Murray, the magistrate with whom I acted, and this is the original document: "I certify that I attended at the inquest held on the body of the late Simon Bortree, and also at all the investigations which took place relative to that murder, and on which occasions I had every reason to be perfectly satisfied with the conduct and exertions of Captain Duff. R. Murray, J. P. Dungannon, 23d July 1835." I furnished Mr. O'Sullivan, the rector of the parish, with a statement of these particulars, and requested that he would make them public.

8329. Was Mr. Bourtray a Protestant and an Orangeman?—I believe he was.

8330. Did you hear that he was robbed?—I did; the men that brought me the report and saw his body told me that he was robbed.

8331. Was he known to have money about him?—Yes, he was dogged that very evening in the town when he was changing his notes.

8332. Is it the impression in the country that he was murdered for the sake of his money?—The impression in the country is that the plot was laid in Mr. Bourtray's own house, and that they took an opportunity when he must have had a remittance of money. I think they got about 40*l.* on the poor man's person. I never heard that he was connected as a partisan.

8333. Was he a man very much liked?—He was, and deservedly.

8334. You mentioned in your evidence yesterday about the Maghery affair, that you met the party returning from that place upon the Tyrone side of Verner's Bridge, were not you then accompanied by Mr. Murray the magistrate?—I was.

8335. You said that you subsequently offered the assistance of yourself and party to Colonel Verner, why did not you on meeting the party armed and having every appearance of having been in action, and having been previously informed of their intentions, you being accompanied by a magistrate, why did you not make the attempt on the spot to secure them, instead of waiting to offer your services to Colonel Verner?—I never knew what was done till I heard it from Colonel Verner himself, more than that a few panes of glass were broken and a gun taken.

8336. Did Colonel Verner send a warrant to apprehend any persons accused of having been engaged in the riot?—He did.

8337. Have you the correspondence between yourself and Colonel Verner?—I have it in Ireland, but not here.

8338. Do you recollect writing such a letter as this to Colonel Verner: "Sir, I have had the honour of receiving your letter of this morning's date, enclosing a warrant against two men charged with being of the party at Maghery, and which warrant shall be particularly attended to by me?"—Yes; and in the reply I got from Colonel Verner, that he did not know what course to take, that he would be happy to give any further assistance he could.

8339. Is this also a letter of yours, dated Dungannon, 18th December 1830: "Sir, I have the honour to acquaint you, that it has been stated to me that William Kelso, one of the men charged in the warrant received from you yesterday, is in your employment as sportsman. May I beg to be informed if such is the case or not, and if there is any particular line you would wish to be pursued relative to his apprehension. I further beg to inform you, that I last night sent for the informant, Edward M'Guney, of Maghery, in order to ascertain the residence of the men charged; he refused to give any information on the subject, stating that he knew nothing of them; that what he swore was only to his belief?"—Yes, that is my letter to Colonel Verner, as I stated before.

8340. Is this the answer you received: "Sir, I am sorry your men were detained, owing to my absence from home, until this late hour, now half-past four. I have no gamekeeper of the name of Kelso, nor is there any person in my employment or about my place of that name. I feel totally at a loss to point out to you what line would be best to pursue, particularly as you state that the man who swore the informations is himself so ignorant upon the subject. Any further information upon my part I shall be happy to afford you?"—Yes; I have the original of that letter, which I stated before, in which Colonel Verner offered me his assistance.

8341. At the riot at Dungannon, where you state that Colonel Verner headed the party, were you yourself present?—Not at the riot.

8342. Do you know whether Colonel Verner was at Dungannon when that riot took place?—I do not know, of my own knowledge; I heard that he was; I heard that he exerted himself to keep the parties quiet upon that occasion.

8343. Do you not know whether he was at the scene of the riot?—No, I do not.

8344. Were you present at the riot?—No, I was at the other part of the town.

8345. Was there any riot that you heard of after Colonel Verner had joined the Orangemen upon that occasion?—No, I do not recollect hearing of any after Colonel Verner joined; it was stated to me, that Colonel Verner was present when this affray took place, and that he used some exertion, by cutting some men with a whip, to keep them off, but I do not know of my own knowledge.

8346. Did you not state that Colonel Verner headed the Orangemen into the town previous to the riot taking place?—It was whilst they were marching past Norton-row that the riot took place, at the back of Mr. Hannington's castle.

8347. Was Colonel Verner heading the procession at that particular time?—I did not see him at that time.

8348. Did you mean your report to bear the construction that Colonel Verner was present at the time of the riot?—It occurs to me that it was reported to me, that Colonel Verner and Mr. Grier were heading the procession at that time, but I cannot speak positively, for this was in 1832.

8349. Did you not state before, that the row began by the Orangemen being attacked by the Catholics?—Yes, I think it was some insulting language made use of about passing an arch from some blacksmiths that were there.

8350. Did you hear that a blacksmith's pair of tongs were found under the coat of one of those persons?—I heard it.

8351. You say that Colonel Verner wore an orange scarf?—Yes; I saw him take it out and put it in his breast after shaking hands with me.

8352. What do you mean by a scarf?—It was some orange thing inside his waistcoat.

8353. Might it have been a handkerchief?—As well as I recollect, it was something in silk or tabinet, narrower than a handkerchief.

8354. Do you mean to say that it was a scarf, and not a handkerchief?—I mean to say that it was either an orange scarf or an orange handkerchief put in the form of a scarf about his neck.

8355. Was it like an inside waistcoat?—Yes.

8356. Not worn, like a scarf, upon one shoulder?—The Orangemen have various decorations.

8357. Was it in the shape of an under waistcoat?—No, it was round his coat inside; it might have been a handkerchief, and as well as I recollect, Colonel Verner applied it to his face.

8358. Are you in the habit of seeing Colonel Verner frequently?—Not very frequently.

8359. Are you aware whether he is in the habit of wearing that?—I do not recollect seeing Colonel Verner wear the same description of article. I have seen him wear an orange and purple neckcloth, and I have seen him wear an orange and purple handkerchief, which any gentleman may wear.

8360. Did you consider yourself called upon to notice the colour which any other gentleman in the procession wore?—I had positive orders through Major D'Arcy, the inspector-general, to report any persons holding commissions or other employments under the Government, and it was in obedience to that order, not from any feeling of pique myself, that I did it, for, as I stated, Colonel Verner and myself were very good friends before that.

8361. What was the result of your observations in consequence of that order?—I had reported Mr. Grier two years before, for his orange and purple decorations.

8362. Are you in the habit of reporting to Government the manner in which gentlemen dress?—Never, except in processions. I always was of opinion, that a gentleman had a right to wear an orange coat if he liked, but not in procession.

8363. Did you make a report of the appearance of a flag upon the tower of the church of Dungannon?—No, I did not make a report; there was a circumstance arose out of a flag in my last official report, but I believe the flag now referred to was the flag of last year. I did not make a report of that.

8364. Was a report made?—Lord Caledon wrote to me to say, that he had heard that the church had been decorated, and that I was burnt in effigy, and wish-

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ing to know whether it was correct, I wrote to say that the flag was up; in fact he called upon me to know why I did not report it; and I said that it was a matter of minor importance; that as long as they did not burn myself, it was not of much consequence.

8365. Was the letter you wrote upon that occasion at variance with the opinions of any persons competent to judge in that neighbourhood?—There was no report more than that I had received Lord Caledon's letter, and I stated that it was so; as well as I recollect, it was a purple flag with "Church and State," in either purple letters or orange letters; I sent for the clerk of the church, and he told me that it was put up.

8366. Are you quite sure that it was not a Union Jack?—The inner corner might have been a Union Jack, but not the floating part; I should rather say that the inner corner was a Union Jack.

8367. Is not the Union Jack always the corner of the flag?—No, I have seen ten thousand flags without any Union Jack.

8368. Was not it stated upon that occasion, that the flag hoisted on the church was an orange flag?—I think the clergyman, Mr. Horner, contradicted as to the flag, and there was some question between him and Lord Caledon, and he contradicted the statement that it was a purple flag, and I wrote to Lord Caledon to say that as he denied that colour, I hoped he would state what colour it really was, namely, a purple flag with the words "Church and State," and I think I said in orange letters.

8369. Do you know that the accusation made against it was, that it was an orange flag?—No; I was not aware that any statement was made, till I was called upon by Lord Caledon to report upon it.

Jovis, 30° die Julii, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Captain *David Duff*, called in; and further Examined.

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8370. YOU were examined yesterday with respect to what you had heard from others regarding the case of Maghera, the meeting on the hill of a number of Ribandmen; here are communications from Captain Mitchell of the 64th regiment, and from Captain Barnett of the 64th regiment, to the Military Secretary; he transmits these communications to the Under Secretary of State, Mr. Gregory?—That is the usual course.

Vide Appendix.

[*They are put in.*]

8371. Here is also a letter from James Spencer Knox to the Secretary; is he a magistrate of that district?—For Derry.

8372. Maghera is in that county?—Yes.

8373. There is also a letter on the 19th of July 1830, to the Chief Secretary, on the same subject?—I believe there is.

Vide Appendix.

[*The letter was put in.*]

8374. Was that at the time the Duke of Wellington was Prime Minister?—It was.

8375. You have expressed a wish to put in a letter?—Yes, it relates to the cutting down or removal of an Orange arch.

8376. Is it an order?—From His Majesty's Government.

8377. Did you remove it?—No.

8378. Will you put it in?—

Vide Appendix.

[*The letter put in.*]

John Gore Jones, Esquire, called in; and Examined.

J. G. Jones, Esq.

8379. YOU are connected with the constabulary?—I have been four years a stipendiary magistrate, and previously to that I had been for fourteen years a local magistrate.

8380. In

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8380. In what part of Ireland do you act?—In various parts, as a stipendiary magistrate.

8381. How long have you been connected as a stipendiary magistrate with the province of Ulster?—Upwards of two years, during which time I have pursued an erratic course through the province, as exigencies required.

8382. To what cause do you attribute the principal outrages that took place in that province during the time you have been a stipendiary magistrate?—The outrages that have taken place under my immediate observation arose from strong party feeling and bias.

8383. Where those outrages were, did they take their rise from Orange Lodges and processions principally?—In the north, which I look upon as my head quarters, where I remain longer than at any other place; in Portlyown, in the county of Antrim, there is a feeling of the bitterest animosity existing between both parties, scarcely credible to a person unacquainted with that country.

8384. Between what parties?—I mean the Catholics and the Protestants, who are indiscriminately called there Orangemen and Ribandmen.

8385. That is a general term used by the two?—Yes, indiscriminately. If a Catholic were to come to me who had been beaten, he would say he was beaten by an Orangeman; and if an Orangeman were to come to make a similar complaint, he would say he had been abused by a Ribandman.

8386. Do the Orange Lodges exist in that county?—It is fair to state to the Committee, that I have myself, up to the time of my entering on my official duties, been an Orangeman.

8387. That is four years?—It was fourteen years that I was a local magistrate; I became an Orangeman almost immediately on my return to Ireland.

8388. When was that?—About twenty years ago; the feeling that exists in my native county, which is Sligo, is very different; there the Orangemen merely met on certain festivals and enjoyed themselves in a very temperate manner; there was no uncharitable feeling engendered by it, the most perfect harmony seemed to exist between them and the Catholics; but in the north it was quite a different thing, they are quite the reverse, and the hostility is not credible, it is most revolting to contemplate.

8389. Have you had opportunities of witnessing those processions, the Orange processions?—I have witnessed them three successive years in the north; I was sent directly across from the south, from Mallow, in the county of Cork, to be there on the ensuing 12th of July, that was in the year 1833; on my arrival I received such information as enabled me to act under the common law, not the Procession Act. I received information on oath that a certain procession would take place, which was likely to create tumult, and cause just apprehension and fear to His Majesty's subjects. Upon that I acted decidedly; I brought out a party of military, I found the place garrisoned when I went there, I brought out a company of the 80th, and met the procession coming from the Antrim side; I drew up the military across the road, and the constabulary.

8390. What was the force of the constabulary?—About forty; I read the Riot Act, and ordered them to disperse; I pointed out the illegality, I said that I had taken an Orangeman's oath, I would support the laws of a Protestant King, and I considered every person then assembled was going in opposition to that, and that they were each acting in a manner I was sorry to see respectable men do; I conceived they perjured themselves. They said they would force their way. When they saw I was determined not to permit them to pass, they said, "You are covering three roads, we will not go into Portglenone, we must go home. If you suffer the men to fall back, we will file off peaceably." I said my object is to prevent tumult, and if they pledge themselves to go quietly, I would let them go back. The procession was very long, and those in the rear, when they saw the military fall back, thought we were driven back; they came up; there were some swordsmen in the front, and we were obliged to charge and drive them to their former position, till they understood the agreement we came to, and that year passed off quietly.

8391. This was in 1833?—Yes.

8392. The Processions Act was in force at that time?—Yes.

8393. You took proceedings under the common law?—Yes.

8394. Information was lodged with you that a breach of the peace was likely to take place?—Exactly.

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8395. Were pains taken by you and those under you, to let the people know that it was contrary to law to meet in this manner?—Yes.

8396. Every possible means were taken?—It had always been their habit to throw an arch up the preceding night across the streets of Portglenone. I had a piquet out, and remained out myself all night warning the people, and I went to their different rooms and spoke to them.

8397. Were there many of those men armed?—The first year there were some pistols and a great many swords; but I consider the swords were more belonging to the procession than for any other purpose; part of the insignia of the lodges.

8398. Did you mention that there were banners?—Yes, of all kinds, and the usual accompaniments.

8399. Were they playing tunes?—Yes, party tunes: the Boyne Water, and the usual party tunes.

8400. Was offensive language used?—No, not any, except they applied the word Papist to me.

8401. For what reason; what religion are you?—In these days it is not easy to classify; I am a Protestant, I was brought up so, and a very sincere one. I do not go the length many people do to prove their devotion.

8402. You are a member of the Church of England?—Yes.

8403. For what reason did they call you Papist?—Because I supported the law, as was my duty, and opposed them.

8404. Is that a term they give generally?—It is a term they conceive a very offensive one.

8405. Is it not generally given to those who feel themselves bound to maintain the laws in opposing those processions?—Yes, I have heard other officers say, that similar terms and epithets have been used to them.

8406. And the police?—To the officers and the police.

8407. The term Papist is an offensive phrase used to a Roman Catholic?—I have always conceived it so.

8408. Have you not always thought, and the Roman Catholics thought it used in an offensive sense?—I always preferred using a term the least hurtful to their feelings.

8409. Would not that be the duty of every good Protestant who attended to his religion?—I think there is no religion but must be very erroneous if it is not founded on perfect charity.

8410. You were saying you went to different parts of the province?—I am in commission for the whole of Ulster, with the exception of two counties; where there were reports of extraordinary outrage, I generally received directions to proceed there.

8411. What do you hold your commission for?—For all, except Cavan and Down.

8412. Do you remember any striking instances of the violation of the law taking their rise in the Orange processions, and other parts of the county in the year 1833?—No, in the year 1833 I was confined to Antrim. In the year 1834, there was a similar procession to the one I have described, entered Portlyown, 1833, upon what I have already termed the Antrim side. I had 26 military, and the same number of constabulary, I had 25 of the 74th regiment; previous to their coming in, I went out and met them; I advised them (and read the orders under the Processions Act) to disperse; the Riot Act I also explained to them, that every one remaining a quarter of an hour would be liable to summary punishment, but they would not be stopped; I drew the military up in the street of Portlyown, in a narrow place, I chose the best position, and while in that position it was intimated to me by a vidette I had out, that a great body were coming on the Derry side to take me in the rear. I ordered the military to load, having read the Riot Act, and gave directions to the officer on no account to let the procession pass. I had received information similar to what I have described the first year, and that it was likely to lead to tumult. I went to the bridge of Portlyown with the constabulary, leaving the military in the upper part of the street, for there was a space of 500 yards intervening. Upon my arrival there at the bridge I saw the Derry Orangemen approaching, and I suppose I do not exaggerate when I say there were 3,000; they came up to the bridge where I was, and I read the order to disperse, and the Riot Act also, I read both; I addressed them for some time, to which they were perfectly heedless, and they said, they would come through,

through, and would not be prevented; for about 15 minutes we kept them in check, the bridge was favourable to our purpose, being narrow, with fixed bayonets. At the time I thought my object achieved, I perceived the Antrim Orangemen coming in full force in my rear, and at that time within about 10 yards of me.

8413. What number might they be?—Probably 2,000. The military were nowhere to be seen, and under the circumstances I thought it prudent that the police should give way; they gave way, and they then joined, both parties joined and marched to the Derry side; upon their having marched on the Derry side, some time afterwards the military officer came up with his party scattered.

8414. Who was the military officer?—A Mr. Fraser.

8415. What detachment was it?—The 74th. He said they had broken through his ranks, and he felt a hesitation in firing at them, my being absent from him, his force being so small; and he said there were a number of women mixed in the procession, and he could not have acted without committing indiscriminate slaughter, which he wished, as far as he could, to avoid. I rode out of town after them, and told them they must not presume to come to the town again, as I was determined to oppose them at any risk; they said they would furl their banners and walk quietly through. They returned, bowing to me as they passed, with their banners furled up. I made the constabulary identify them as they went along; eighty-seven was the number identified as having formed part of that illegal procession.

8416. Were there among them, as you ascertained afterwards, many yeomen?—I cannot say.

8417. Were there any?—I could not positively say that there were; I have told you there were eighty-six or eighty-seven; I am not sure of the number. I selected sixteen of those persons I conceived had most influence, and therefore were most culpable; I had them arrested the next day, and I brought them up. I wrote to a magistrate who is under Government, Mr. Crossley, a sub-inspector, who holds a commission for Derry, he came over, when we convicted sixteen summarily under the Procession Act.

8418. At the petty sessions?—At a meeting, I cannot call it petty sessions, we were together; it was a meeting of two magistrates. I sentenced these sixteen to Carrickfergus gaol for a month.

8419. That was the sentence?—Yes; I communicated to the Lord Lieutenant what I had done, and I said I had made my selection from those I conceived most culpable as being most respectable, and I made a request that his Excellency would be pleased to allow me to admonish the others, when taken, and dismiss them. I issued warrants for the remainder, and brought them up. With the permission of the Lord Lieutenant, I admonished them in the best way I could, and no further punishment ensued on that occasion.

8420. Now, could those persons thus assembled in Orange processions have been by any probability ignorant of the existence of the law, those who formed these processions, after the pains you describe yourself as having taken?—Certainly not; every man there was as well aware of the law and the penalty he was liable to as I was, and that he was violating it; many of them said they did not care for a month's imprisonment, and would not give it up for that. I took very great pains to make them comprehend and understand; I went so far as to say, I am an Orangeman myself, and I must either throw up the commission which I hold, and let my children starve, or do my duty; and if you do not stop from any other motive, you, as Orangemen, ought to stop when you see a person placed in the situation I am.

8421. They paid no attention to that?—Not the slightest.

8422. Did you observe, during that year, any other instances of a direct violation of the law?—The reason that I was sent first of all to Portlyown, was a memorial sent from the inhabitants, Protestants and Catholics, stating that in consequence of party fights their fairs and markets were completely deserted, and requesting of the Government to send down a stipendiary magistrate. It was in consequence of that requisition from the inhabitants that I was sent there; when I went I found the place with military in it and an increased police force, and the markets were completely broken up, the fairs were broken up, all business was at a stand, and had been for months; in a little time confidence was restored, and we were able to dispense with the military; during that time I punished several persons on both sides for party offences.

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8423. When you first went there, you mentioned that there was the 64th?—The 80th, a company.

8424. What company of men?—Perhaps sixty.

8425. What were the number of police?—Forty, I think, the first year, and the second year twenty-five.

8426. That was for the occasion?—Yes.

8427. What were the number of police permanently fixed there in the year 1833?—I should say twelve.

8428. You are still quartered in that place?—Yes.

8429. What number have you now?—After I had been there a considerable time I wrote to Government to say I saw confidence was restored, and the military could be withdrawn; I thought the civil power sufficient; it has been my principle of acting to make the constabulary as serviceable as possible, and have the military withdrawn, knowing that such detachments are detrimental to the service, and expensive to the Government.

8430. What force have you there?—I have twenty men and a chief constable, but I do not think the police of the district is increased, by that I think they are withdrawn from other stations.

8431. Have you found on the part of the magistrates co-operation with the local magistrates in the discharge of their public duty?—Why I feel a delicacy in speaking any thing that may be personal.

8432. I ask you generally, have you received co-operation, or has it been otherwise, from the magistrates, the local magistrates, from that part of the country in which you have been placed?—No; I have not met with that co-operation I should have expected.

8433. To what do you attribute that want of co-operation on the part of the magistrates?—I think I have been considered, perhaps, as acting too decidedly towards the Protestant party.

8434. You mean the Orange party?—Yes.

8435. Are there many of the magistrates in that district avowed or reputed Orangemen?—I should say the whole of them were, that is my belief.

8436. Would you attribute the want of co-operation on their part to that circumstance?—I do attribute it to that circumstance.

8437. What district does that observation embrace?—It takes in a district part of Derry and part of the county of Antrim, I should say perhaps, the best way to put it to be generally understood, the Portglenone district.

8438. What is the extent of that district?—I should suppose it would take in a circumference of 30 or 40 miles, or more; it takes in a very large district of country.

8439. Is it a circumference of 30 or 40 miles?—In circumference.

8440. How many miles across from one point to another?—The places that I attend are places within 12 miles of my station.

8441. Is Portlyown about the centre of it?—Yes, pretty nearly.

8442. And the extreme point is about 12 miles?—Yes.

8443. That is the utmost length; what is the utmost breadth?—I could not form an idea.

8444. Is any part less than five or six miles from you?—No.

8445. Its greatest distance from you will be about 12 miles, and the narrowest breadth five or six?—Yes.

8446. Have the magistrates, on these procession days, attended for the purpose of discharging their duty in suppressing those processions after the Act became the law of the land?—I never heard of any doing it.

8447. In that district?—Never.

8448. Were they at home as far as you could learn; did they absent themselves or take any part in the processions?—I cannot say; I do not believe there has been any instance, in that part of the country, of the law being carried into effect, except at Portlyown, that is summary punishment inflicted at Belfast by Mr. Skinner, the police magistrate of the town of Belfast; no other instances came to my knowledge.

8449. You have been speaking of the extreme terrific violence that exists between both parties in that part of the north of Ireland, do you know what party, generally speaking, has been the aggressor, the Orange party or the Catholic party or the Riband parties?—I have received information against both parties; I have punished both parties; but I should say that the Protestant party were the most insulting.

I have

I have never heard the others make use of insulting language; I have often been awoken at night, and have arisen by hearing the Orangemen cry in a drunken manner, "to hell with the Pope, to hell with Nanny," which means (among the lower orders) the Pope's grandmother.

8450. Have you a number of Catholics residing about?—A great many at the borders, Portlyown and Glenone; they are divided by a bridge; one is in Derry, the other is in Antrim; a great part of Lord O'Neill's property is near Portglenone, which is known by the name of Largies and Grange, which is chiefly occupied by Catholics.

8451. Taking the district with which you are particularly acquainted, in the centre of which you reside, what do you consider the proportion, on a rough notion, of the population of Catholics to Protestants with all other religious persuasions?—I should say perhaps two-thirds are Protestants and one-third Roman Catholics.

8452. You mentioned that in Portlyown both Catholics and Protestants felt so much the mischief flowing from those party proceedings, that their trade was so much injured, and the fairs done up, that they memorialized Government to put an end to those things; and in consequence of that, you were sent there?—Yes, it was in consequence of that I was sent there.

8453. What has been the conduct of the Roman Catholic clergy since you have been in the north of Ireland with regard to this party spirit that prevailed so much there?—Since I have entered on my public duties—and never any person entered upon them with greater prejudice to the Roman Catholic clergy than I did—I have received from them every possible co-operation and assistance in preserving the peace of the country.

8454. Without any exception?—Yes, without any exception whatever. I do not confine myself to the north of Ireland: I speak of Galway, where I have been two years; and Roscommon, to which I was sent when much disturbed.

8455. Wherever you have been, your testimony is, that the Roman Catholic clergy have given you every co-operation for the preservation of public peace, and allaying the public spirit?—Yes; and I say it with great pleasure and gratitude for the assistance I have received.

8456. Do you not think that had it not been for their exertions, that bad as are the passions, and violent as are the feelings entertained by one party against the other, it would have been infinitely worse?—I have not the least hesitation in saying I am sure it would—that it was nothing but their persuasion and influence that restrained the Roman Catholics so long in the north. I can say it, from a communication I had with Mr. M'Laughlin, the priest of the next parish. He called on me with a very respectable Roman Catholic named Daly. He stated to me that they had been at very great pains, and he had used very great exertions to get rid of every thing like illegal societies among his people; that he had completely succeeded; but in consequence of the spirit that manifested itself amongst the Orangemen, he was fearful the worst consequences would ensue. I had been absent some time; and it was on my return, in a day or two, he called on me to try to prevail on me to remain where I was.

8457. Did he state that his call on you was from want of confidence in the local magistrates?—No; but I know they did not feel any confidence in them.

8458. Do you mean to say the Roman Catholics, and the clergy, and the people at large, place no confidence in the magistrates of that district?—Why, I do not like to animadvert unnecessarily; but my impression is, they did not feel confidence in them.

8459. Do you think that they would have any confidence, generally speaking, in men as magistrates whom they knew to be Orangemen?—I do not think they would. I am speaking now of the north of Ireland.

8460. Have you attended the petty sessions frequently?—Always. I make a rule never to be absent from any petty sessions within my reach.

8461. How many petty sessions are within your reach?—I should suppose that when at Portlyown I attend six or seven in the circuit round. In some cases they are held weekly. It is quite discretionary with the magistrates.

8462. Do these sessions take place frequently?—In some places very frequently; in some places weekly; in some once a fortnight; and in some monthly. I have seen magistrates have Orange handkerchiefs, and show them on the bench, when it was known it was an offensive colour; and it would be better they should not have done so; but this perhaps was done more from want of proper consideration than from any hurtful intent.

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8463. But it was calculated to make an unfavourable impression among the ignorant people?—Yes.

8464. Have you had occasion to report to Government on the conduct of the magistrates?—Why, I had better state, that on the 12th of July last I received a letter from the parish priest of Bellaghy, mentioning that an Orange arch had been erected across the road leading to Chapel, that he had great apprehensions of collision between his people and the Protestants, as they were determined not to go under it; he requested me to come and preserve the peace; he sent his letter by a very respectable looking person; I said, "Did you see this arch?" he said, "Yes." I said, "Did you go to Mr. Hill, the resident magistrate, to tell him of it?" "Yes," he said, "five of us waited on him, and he would not see us; a man of the name of Davison was determined he would not go away until he did see him; he waited, Davison followed, and Mr. Hill said there was no law for taking it down, it was an old custom, and he would not interfere." I said to this man, his name was Keenan, "I must receive information on oath that you have seen this arch built, and that a tumult is likely to arise from it." It was received, and I went and took down the arch. I merely reported to the Government the taking down the arch; I did not mention a word of Mr. Hill's conduct; but Mr. Hill, a day or two afterwards, wrote to the Government to say that I had not treated him with proper courtesy, in not having communicated with him; that the town was in a perfect state of peace, and that he had done every thing to preserve it; that I brought the military there unnecessarily; and when the governor sent this letter to me, in my own defence, I was obliged to send forward the information, on which it appeared to me Mr. Hill's conduct was culpable; then, on the next day, the 13th, or on the evening of the 12th, two men came from Kilrea, in the county of Derry, a distance of six miles, to say they were then erecting Orange arches; that it was said 6,000 Orangemen, from different parts of the country, were to come, and there would be tumult and bloodshed and riot. I received their information; they wanted me to promise to go over; I said, "No, I looked on Portglenone to be the place my attention was to be directed, but if all was quiet there, as I hoped, I would go;" and about two o'clock there came, a messenger for me; I sent over a mounted orderly to watch their proceedings; he came, followed by a man on horseback, to say the Orangemen had come, and there was every appearance of great tumult and disorder. I immediately (seeing Portlyown was quiet) took part of the company of the 46th regiment, and fifteen of the 14th dragoons with me.

8465. What number of infantry did you take?—About 40. When I got within a quarter of a mile of Kilrea, I was met by a Mr. Waddy, the rector of Kilrea, and also a magistrate of the county of Derry; he said, "Where are you going, Mr. Jones?" I said, "I have received information that there is to be tumult and riot, and so forth, and I am going to preserve the peace;" he said, "Oh, I will be answerable for the peace; if you take the military there will be bloodshed." I said, "What have you done to preserve the peace? have you read the order to disperse?" he first answered me in the affirmative, then in the negative; this conversation took place in the presence of the officers, who I had purposely round me that they might hear any conversation; I said, "I have received such information that I should feel myself culpable if I did not go forward, as I see the Orange banners floating; it would not do for the King's troops to turn when in sight of the people thus illegally assembled; that I must go forward." Mr. Dawson, a revenue officer, said there would be dreadful bloodshed, and all that kind of thing; we went forward; there was an immense collection; it is impossible for me to say what number; arches were thrown across the streets; every thing was in a state of great excitement; I read the order to disperse, and also the Riot Act; some heads of the party came up and said, "Will you give us permission to go home unopposed?" I said, "My object is to preserve the peace;" and I said, "If they would go away quietly, that was all I wanted." They marched off; then I desired the constables, as they passed, to take down their names as well as they could; they went off without creating in my mind the least suspicion that they were about to return, till I saw the flag of the Kilrea Orange Lodge brought out; I said, "Where are you going? you are at home; what is the use of your displaying your flag?" I made them roll it up and go back. In about ten minutes or a quarter of an hour I heard drums beating; it appeared they had concentrated, and were determined to march in force back again; when I saw this I drew the cavalry across the street; I warned them, and told them it was impossible they could pass; that the Riot Act had been read more than an hour; that they were all liable to be tried for the offence; that every person there was acting

acting illegally under the common law, independently of the Procession Act, and that I was determined they should not pass. They came up with colours and swords, and attempted to turn the horses of the cavalry; after remaining some time there came a shower of stones from the windows of the houses upon the dragoons and myself; I was in front, persuading them to go back; the officers were Major Garrett, of the infantry, and Captain Tennyson, of the dragoons; Captain Tennyson's cap was knocked off, and he was cut; the Major was very nearly knocked off his horse, and was greatly weakened by the loss of blood; most of the men were struck; I believe I was almost the only person who escaped with impunity. I was obliged to give the order to advance; some wounds were inflicted; but they dispersed in the most extraordinary quick time.

8466. Did the transaction there end?—It did.

8467. You made a report?—Yes, to the Under Secretary of State.

8468. A report was also made by the officers on the occasion?—I suppose so; they report to three different persons; the 13th of July was the date, this year.

8469. You say the transaction terminated then?—Yes.

8470. Have you taken down many names for the purpose of prosecution?—Yes, a great many; I should say perhaps 50 and upwards.

8471. Have you reason to believe many of them, or any of them, were yeomen?—I cannot say.

8472. You wrote to Sir John Buller?—Yes, I did.

8473. You were there at the Armagh investigation?—Yes.

8474. Was any evidence given there respecting the distribution of powder some short time previously to the outrages that took place at Annahagh?—Yes, Sir Frederick Stoven deposed—I speak from recollection, but I think I am pretty accurate—saying, while he was in the fort of Charlemont powder was given to a man of the name of Cardwell, who lived at Loughcall, a powder vendor; it also appeared that he had been accompanied by a person who was or had been a serjeant of the yeomanry corps.

8475. You do not recollect the corps to which he belonged, do you?—I recollect Black was mentioned as captain of a corps; whether of that, I cannot state now; I think, if I recollect Cardwell's evidence, that he went on to state that the meeting of this serjeant was accidental; I think he swore it was accidental; that they went together to the fort; I think that appeared in the evidence.

8476. Did it appear if it was powder lodged there by himself, as is the case with powder vendors, or powder belonging to the King's stores?—It appeared then that it was powder belonging to himself. I was struck with Cardwell's manner; he appeared to me to be a most satisfactory witness, and he gave his evidence straightforwardly; in fact, I liked his evidence better than any I received.

8477. Had you an opportunity of knowing any thing about the distribution of powder from any stores at that time to others?—No; I have since heard, but not then. It is but fair to state it, that there have been charges made by a man of the name of Jackson against Weir, a storekeeper. While I was at Moy information was lodged by that gentleman against a Mr. Jackson; I cannot say if he is the same person, but I think he is the same person, for having stolen a gate, the property of His Majesty. I say I would receive with great caution any thing that comes from that quarter. Mr. Weir's informations had lain over two or three years since the gate was lost. Though a respectable man, I felt it my duty to sift him most searchingly, knowing that jealousies had existed between this Mr. Jackson and some of the officers of the artillery, but I know he accounted for this delay; I know his reasons were satisfactory, otherwise I would not have received the information.

8478. What is the character of Mr. Weir?—I should say he was a most respectable person.

8479. Now, Mr. Jones, you have stated that there are frequent disputes at fairs and markets between Protestants and Roman Catholics; I suppose in some cases the Protestants are the aggressors, and the others Roman Catholics?—At the last sessions of Ballymeena, there were four Protestants and four Catholics committed for six months' imprisonment; a kind of cross information was sworn, and they were committed for six months' imprisonment each, and one Catholic was transported for seven years, for assaults growing out of party matters. Mr. Singleton, who received these informations, was sent to occupy the place during my absence.

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8480. Is he a stipendiary magistrate?—Yes.

8481. Is he employed in Queen's County?—He was, but I believe is not now there.

8482. Who were the magistrates who presided at the sessions?—At the quarter sessions there were a great many magistrates; I was not there the day these people were on their trial; I was obliged to go to preserve order at a fair.

8483. Were many of these magistrates Orangemen?—I should suppose they were.

8484. Were those men tried by jury, or summarily convicted?—They were tried by jury.

8485. Were those juries principally composed of Protestants or Roman Catholics?—I cannot say; I was not present; I suppose the same ratio would be as I have stated—perhaps one-third Catholics and two-thirds Protestants.

8486. Four Protestants were convicted of assaults and sentenced to six months' imprisonment at these quarter sessions?—So I have been informed and believe.

8487. Have you ever heard of Roman Catholic processions since you have been stationed in that part of the country?—No, never.

8488. Did you never hear of Roman Catholic processions on St. Patrick's day?—No, not since I have been in that part of the country; I heard of a procession of Roman Catholics having taken place in the county of Down within these two or three years, but merely from hearsay.

8489. Did you never hear of Roman Catholic processions in the other parts of Ireland in which you have been?—Never; I was two years in Galway and Roscommon, and I never heard any thing of the kind occurring. There were at that time many illegal societies going forward, which I was aware were connected with the prædial disturbances.

8490. Did they extend far and wide through the country?—Yes.

8491. Now, do not you conceive that if Orange processions are to be put down, it is expedient that all processions, Roman Catholic processions and others, should be suppressed?—Nothing could tend more to the happiness of the north of Ireland; it is the only thing now wanted to make it one of the most prosperous places that can be conceived; to do away with that feeling of party, not only would it be advisable, so far as it leads the people into scrapes, but the wasteful expenditure of their money at their meetings is very great.

8492. You are aware that these processions, in one shape or another, to commemorate the battle of the Boyne, have existed for a great number of years?—Yes.

8493. You have, perhaps, heard that the Irish Volunteers used on the 12th day of July to march round the statue of King William in Dublin?—Yes, I have heard they fired round it, and paid all due honours.

8494. And subsequently the King's troops and the yeomanry?—Yes.

8495. In short, it seems to have been a part of that system of Protestant ascendancy which was so many years encouraged by Government?—I do not know if it was encouraged by Government; it was rather before my time; I suppose it was.

8496. But Protestant ascendancy in one shape or another has been encouraged by the British Government and Parliament till within these very few years?—Yes, I think so.

8497. Do not you conceive it is very natural that when people have from upwards of 100 years been in the habit of celebrating the triumphs of Protestantism, as they deem it, however erroneously, and also have been encouraged more or less in maintaining a Protestant ascendancy till within a few years, that when all at once another course of policy should be adopted, that their feelings should be a little irritated, and they should cling for a time to these processions which the law desires to suppress?—I am not at all surprised at the lower orders of people doing so, but that persons of enlightened minds, who have an influence with the party, do not try to prevent them, surprises me.

8498. Did you never hear that the great Orange Lodge issued an address to the Orangemen at large, strongly enforcing on them the duty of obeying the law, and urging them in the strongest way to abstain from processions?—I heard that an order was issued in the way of admonition, but I would conceive the Orange Lodge would have the power of saying that they would expel any person who would disobey any order. If this was done, it would effectually prevent these assemblies.

8499. You have not heard that the Orange Lodge proceeded so far as to threaten

certain

certain individuals whom they thought likely to break the laws with expulsion?—I never heard that.

8500. Are you not acquainted with the fact, that throughout the north of Ireland there have been fewer processions than perhaps have been known for many years?—Yes, considerably less; when I say that, I am speaking from the reports that have gone in to the inspector-general, and what I have heard.

8501. Do not you conceive that under existing circumstances nothing could be much more irritating than that great Dublin procession to meet the Lord Lieutenant?—No; I conceive it a very hard thing to restrain people from the demonstration of loyalty, if they conceive it such. I think the people have a right to assemble to greet the representative of majesty; if a thing of the kind had occurred in Scotland, there would be nothing in it; or if in England, there would be nothing in it, and it was open in Dublin to every person of any denomination.

8502. Do you think the inscription of banners of a harp without a crown, and carrying a cap of liberty on a poll, and green flags, were descriptive of loyalty?—No, I think of any thing but loyalty.

8503. Do not you think that if the Dublin priests had taken the same pains to prevent that procession as to prevent the Orange procession at Portlyown, that very likely many of the Orange processions that took place this year would not have occurred?—No, I do not think that had any thing to do with it.

8504. Did you never hear that many of the officers assembled in chapel before proceeding to meet the Lord Lieutenant?—I had heard by the papers that Mr. O'Connell had addressed the people in order to make a demonstration of as large a multitude as could be collected to welcome the Lord Lieutenant to Ireland.

8505. Your opinion is, if any magistrates should have stated in this Committee they thought it had a bad effect on the Protestant party in Ireland, you think they would have stated that which is not correct?—No, I will not state that, for I conceive the violent newspaper paragraphs that appeared on that subject had a tendency to excite the Protestants.

8506. But not the procession itself?—No, I think the remarks made by the violent papers were calculated to do much mischief.

8507. You think it was the pretext laid hold of?—I do; I think what roused the Protestants more than any thing was the great Down meeting. Previously to that there was a lull or calm; immediately after, a few persons, now voted mad by the Presbytery, Mr. M'Clelland and Mr. M'Coy, disturbed the part of the country I am in; I saw at one time 2,000 or 3,000 children brought for many miles to march in procession, each child holding a bible in its hand, and there was a placard posted intimating there were trumpets to go before each party. I went to witness the sight; I saw 10,000 adults in a sand-pit at Ballamene; I was spoken to by a clergyman of the Presbytery to come and preserve the peace; I saw this Rev. Mr. M'Clelland, who has since been voted not altogether right in his head by the Presbytery of the synod, trying to break into a chapel at the head of all these children, and knock at the gates, and when he was not admitted, I saw him ride out of the town into a sand-pit, followed by 10,000 well-dressed respectable persons; it was a melancholy sight to see so many people of this condition of life led astray by this man, who must have appeared, to every person who was not a political enthusiast, completely mad.

8508. You know there is strong feeling also of the Protestant population against the system of education?—I do not think it near so strong as represented; some of the most sensible and respectable of the Presbytery of the north of Ireland, that I have met with, are warm advocates for it.

8509. Did you never hear that all the Bishops in the House of Lords, with the exception of one, voted against Lord Grey and his Government on that question?—I did hear so I believe.

8510. Do not you think that other circumstances have occurred of late which are very much calculated to irritate the feelings of the Irish Protestants, that views and designs have been avowed by Roman Catholics since passing the Emancipation Bill which have been calculated both to alarm and irritate them?—I think great pains have been taken to create alarms among them; but I ought to say that perhaps there is no person who has more difficulty in forming a general judgment than I have, for I have led a very abstracted life from all parties; I seldom go any where but to my duty and to return to my lodgings; I do not mix in any society.

8511. You are acquainted with the fact, that in the south of Ireland the Protes-

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tant clergy of the Establishment have been almost stripped of their incomes?—Yes; I have been acting there in the collection of their tithes.

8512. You have read Mr. O'Connell's and Dr. M'Hale's letters, in which they have stated they would not be satisfied with less than the total extinction of tithes?—Yes.

8513. Of course you would consider the stripping an establishment of all her revenues is tantamount to the extinction of the Establishment?—I think there must be revenues to make any establishment permanent, at the same time, I am not one of those who go the length of thinking the whole of the present funds necessary for the maintenance of our church.

8514. You perhaps consider the Bill of last year, which disposed of two-fifths, was a good Bill, and that the remaining three-fifths was quite sufficient for the maintenance of the Church?—Yes, it was a melancholy thing it did not pass.

8515. You are aware that Mr. O'Connell, in a letter he wrote from Derrinane, having excused himself to the Roman Catholic people for having consented simply to the reduction of two-fifths, and stated that he thought it always advisable to take an instalment of a debt, that two-fifths was as much as he could expect in the first instance, and as soon as he had realized that first instalment, it was his intention instantly to endeavour to get possession of the other three-fifths?—I heard Mr. Jackson read it last night in the House of Commons.

8516. Under these circumstances, as the great organ of the Roman Catholic party in Ireland, avowed that nothing short of the stripping of the Protestant Church Establishment of all her revenues would satisfy him, do not you conceive, that attached as many of the Orangemen are to the Establishment, and favourable as the Presbytery are generally to the principle of an Establishment, that the conduct on the part of a party who professed before the passing of the Emancipation Bill, that they did not entertain views hostile to the Church Establishment, is calculated to engender hostility on the part of the Irish Protestants in the north of Ireland?—I think it is; I myself would be the first to oppose any thing of the kind if I had power to do it, no person being more sincerely attached to the Protestant Church than I am; but I must admit there is much room for improvement.

8517. Do not you think the agitation of the question of the Repeal of the Union is also calculated to inspire the Protestants of the north of Ireland with some feelings of apprehension?—I think it is, but I have heard very little on the subject there except from the newspapers.

8518. You are aware that all Mr. O'Connell's speeches, in and out of Parliament, and all his endeavours are well known to the Protestants in the north of Ireland?—Yes.

8519. You have heard many attacks made on the Orangemen, or read of many in the House of Commons, speaking of them in no very courtly terms, and calculated to irritate their feelings?—Why, as an Orangeman, I have already stated that up to the period of my becoming engaged by the Government, and being a very young person indeed, and having rather an active mind, I was perhaps rather a leader in Orange matters than otherwise; but I had no idea till I went to the north and was obliged to be a calm observer of the ferocious spirit that does exist there; it is not like the Orange feeling I have seen in my own county, it is quite a distinct thing; no expressions can be too strong that are used in reprobation of this system.

8520. You have read in the history of Ireland that a very ferocious spirit existed between Roman Catholics and Protestants in the north of Ireland before the formation of the first Orange Lodge in 1795?—Yes.

8521. Is it not very possible that if Orange Lodges were put down in the country, and the more respectable Orange leaders were to leave them, that that religious animosity might again degenerate into the same feuds which existed before the establishment of Orange Lodges?—No, I think not now, in the present day.

8522. You stated that you were present at the investigation of Armagh?—I was.

8523. Were you called away to investigate a case of a man who had been stabbed on the canal of Binbul?—I was not called away from that investigation, I went to see a man who was said to be stabbed.

8524. Was this the man who was beaten for going to church?—He was beaten, I do not know what for.

8525. Did you not hear that he was beaten for going to church?—I heard he had been a Roman Catholic and became a Protestant.

8526. Many

8526. Many persons were introduced from Galway to work on that canal?—Yes.

8527. What is your opinion of the population of Galway?—My opinion of the county generally, from the time I first went there, is, that nothing could be worse, and I think there were the seeds of mischief sown, that it would take years to eradicate. I attributed it more to the description of the gentry in Galway than to the wretched people themselves. I was stationed in county Galway more than two years, there were 15 assassinations during that period; Eyrewut was my station.

8528. How do you conceive the gentry contributed to promote that bad spirit?—Because they were playing a double part with the people; I do not say the gentry generally; but there was a description of people not to be met with in any other county that I have seen, they were almost afraid to say the peasantry did wrong, and if a man was taken up who was the greatest villain in the world, and they were conscious that he was so, they would rush forward to give him a character. I had as much difficulty to contend with there in keeping a prisoner, no matter what was my information, as I had in his apprehension.

8529. You have heard of a few Orangemen in Galway?—A very few indeed. I saw a very strong party feeling manifested there at elections, to which I have been sent, as strong as any other part of Ireland; I was sent to preserve the peace in a contested election between Mr. Daly and Sir John Burke.

8530. Was that confined to the Orangemen and the Catholics, or mere party feeling?—There was a strong feeling among the clergymen, they combined to support Mr. Daly.

8531. Mr. Daly was not an Orangeman?—I do not know.

8532. Have you been in any parts of Ireland where the priests interfere much with elections?—Yes, at that election I saw them interfering.

8533. In what way?—In addressing the people. Within about four miles of Galway there is a place called Outernst, two priests were addressing the people as they passed there, I was informed.

8534. What was the nature of their address?—For their favourite candidate.

8535. Did they describe it as the cause of religion?—I do not know; my duties were of that active nature—for the sheriff being ill the whole labour devolved on me—I was on horseback from morning to night in the streets; during the whole election I scarcely slept three hours any one night.

8536. Did any furious riots take place?—There was such a force that serious riots could not take place, but there were several attempts at riot; there were a description of people there, the Cloddermen, they live near to Galway, they support themselves by fishing and selling sea manure, and are taught from their infancy to throw stones with slings, they throw them with as much precision as you could shoot, they assembled in thousands, they are a most formidable party.

8537. Are they chiefly Catholics, or Protestants?—Every one, I should suppose, were Catholics; there is not, I believe, a Protestant among them.

8538. The monks have a good deal of influence among them?—I suppose very great. I was asked as to a convert at Benbush, in the county of Armagh, I went to receive information from; when I went I found the man guarded by two policemen; I went to him; he had already lodged informations before Mr. Murray, a magistrate; for some reason it was necessary for me, I thought it my duty to go and inquire into it; I found he had receded from what he had stated, and he seemed as if he wanted to be coaxed to lodge his complaint; I said, "My good man, I make it a rule not to induce persons to lodge informations; you will be protected if you lodge informations; but as to coaxing you to do it, I will not do it for any body, and never did." Some gentleman thought that I ought to have assured him he would be rewarded if he would lodge his information.

8539. You have been an Orangeman?—Yes.

8540. You were opposed to the measure of Roman Catholic emancipation?—I was.

8541. Since you have joined the police, have you been connected with any political societies or bodies of men?—Not of any kind or sort whatever.

8542. Were you ever treasurer to the Protestant Colonization Society of Sligo?—That was previous to my being officially employed.

8543. That society, was it not formed in the year 1830?—I do not know exactly what year; it was previous to my joining the police establishment.

8544. Were you not also president of the Brunswick club of Boyle?—No, I was secretary to the Brunswick club of Sligo.

8545. You have stated, in part of the county of Antrim party feeling runs so high

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high that Roman Catholics are called by the Protestants Ribandmen, and the Protestants Orangemen by the Catholics?—Yes, indiscriminately.

8546. Can you give any information to the Committee with respect to the existence, if you believe there is such, of the Riband societies?—That the Riband society exists in Ireland I can have no doubt; but that it exists to any great extent in the north I have great doubt. I think it impossible it could have existed without its being communicated to me to any extent.

8547. You have no doubt it does exist?—No, not the slightest. I have already repeated the conversation I had with the priest of the bordering parish, who told me he had used his best exertions to get rid of the society, and he had succeeded.

8548. Did you ever hear an instance of a Roman Catholic being beaten or waylaid at a market by other Roman Catholics, and the reason being assigned that they would not join them?—In other parts of Ireland it is very common.

8549. Will you state the parts?—I will speak of the period when I was a local magistrate. At Sligo, it was one of the most peaceable counties in Ireland, yet if a man had a falling out with his neighbour, his neighbour would get a stranger to beat him; some one would point him out in a fair, and five or six fellows would come and beat him.

8550. You do not know if that is the case in Cavan also?—No, I do not believe any thing of the kind exists in Antrim; I think there is an honest daring in the people of Antrim that would not stoop to that; they are a reckless people, reckless of all consequences.

8551. You say in Ballamore the magistrates are almost all Orangemen?—Yes.

8552. You are of course acquainted with all the other districts of the county of Antrim?—I cannot say that I am.

8553. You said that you believed there were one or two places where the magistrates interfered to put down Orange processions in Portlyown and Belfast?—Yes.

8554. Did you ever hear at Crumbie that the magistrates have exerted themselves to put down Orangism?—They may have done so; I never heard it; I am engaged very much in inquiries, and I may be at Antrim this day and many miles off the next, inquiring into something Government wished to be informed of. I ought to remark, I wish to give my evidence so as to enable you to understand the state of the parties. There are Masonic meetings. In every other county I considered them emblematic of good fellowship and kindness, and that they would produce harmony; but in Antrim it is made an exclusive society. I granted a warrant against 20 Roman Catholics for attacking a Masonic party who were composed of Protestants who had an Orange flag; there were 20, comprising, I believe, all the Protestants of that neighbourhood.

8555. When was that?—The last St. John's day.

8556. Are you a Mason yourself?—No.

8557. Do you know—can you state, from your own knowledge, whether the charity that is usually distributed by the Freemasons is exercised indiscriminately by them in Ireland, to Protestants and Catholics, provided they are Masons?—I do not know; in lodges they are exclusive.

8558. Exclusively Protestants?—Some of them are.

8559. Others are Protestants and Catholics together?—I believe not in Antrim.

8560. You have said an Orange flag appeared in this Freemason party?—Perhaps I had better give you the name of the place. At Grange, in the county of Antrim, on St. John's day, a Masonic party went out with the usual insignia, having an Orange flag; it is almost entirely a Catholic district. They were attacked by what they termed, in the information, Ribandmen, and they identified 20; I summoned the parties before me.

8561. Is an Orange flag a necessary part of the display of every Masonic party?—I should think not; the impression on my mind, as to Masonry, was that it was open to all classes and sects, and became a bond of union and brotherly love.

8562. If those Freemasons wished not to give offence, should they have displayed an Orange flag in a Catholic country?—Certainly not; at the time of receiving the information I said there had been an infraction of the law; what ought to have been done was, to have lodged information for walking in an illegal procession, and not for them to have taken the law into their own hands.

8563. Do you think it was the Orange party's fault the attack was aimed by the Freemasons?—Yes, no doubt of it.

8564. Have you been in the habit of administering justice in any other part of the

the south of Ireland but Sligo; were you a magistrate there?—I was a local magistrate there; that is my native county.

8565. In your present capacity have you been sent to the south?—I was at Mala, in the county of Cork.

8566. Have you been in the habit, in the south of Ireland, of seeing the mode in which justice was administered?—Yes, I was very much confined there, and there was a very high-minded gentry about the immediate neighbourhood; it was administered in a very firm and proper manner.

8567. Have you ever been present at the trials at the assizes in any county in the south of Ireland, or at the sessions?—No, I left it just previous to the assizes; I have been at sessions in the county; at the quarter sessions.

8568. At what period was that?—That was in 1832.

8569. Was that previous to the Act which has been called the Coercion Bill?—Yes, previously.

8570. Had you an opportunity of seeing whether the jurors fairly discharged their duties at that time in the courts at the sessions?—Yes, I think they discharged their duties very fairly indeed at the sessions that I witnessed; if they had not done so it would have left an impression on my mind; I have none to the contrary.

8571. Do you know if that is the repute of jurors in the south of Ireland generally?—I have heard otherwise; I have heard there has been very strong party feeling existing there; but I never witnessed it; I never was at an assize in the county.

8572. Have you ever heard that Government have been obliged to give up public prosecutions in the south of Ireland, from the impossibility of getting a jury that would be considered impartial?—No, I never heard it.

8573. Could you point out to this Committee any gentleman in the same situation which you hold, who has been in extensive practice, both in the south of Ireland and in the north, who could give a general opinion with regard to the administration of justice in both districts of the county?—No, I never saw in any county where I have been a want of jurors doing their duty; I have been present at the special commissions, where there has been great excitement; I am alluding to Galway and Roscommon, and I have seen prisoners there so certain of a verdict being recorded against them, that they have pleaded guilty, and the jury has been composed of equal numbers.

8574. Have you been in the habit of attending assizes in the county of Antrim?—No, I have been always off on some inquiry; my duty was in those party matters that led to assaults, which I punished in a summary manner or returned to the quarter sessions; there has been no heinous crime committed in that part of the north since I have been there of which I have received information.

8575. From your knowledge of the administration of justice in the north of Ireland, do you think that the Orange system has an influence on juries?—Why, I cannot charge my mind with any case that I could quote.

8576. There has been a case quoted in this Committee where a man of the name of Ritchie was indicted, do you know of that?—No, I have my own moral conviction as to jurors in the north; but that will not do to give in evidence.

8577. You could not point out a case in which you think any great partiality has been shown?—I could not.

8578. As to the magistrates not in your own neighbourhood; but in other neighbourhoods, do you think on any occasion the magistrates have shown any great partiality when cases have been brought before them?—I should say the impression among the people was that partiality was shown; that is, I mean to say, when I first went to Portlyown to take my place on the bench, no man who was a Protestant, who was either complaining or accused, would give me to understand, before he left the table (whether Protestant or Dissenter), that he was an Orangeman.

8579. He would intimate it to you?—Yes, before he went away; not by signs, but by expression.

8580. With what view do you suppose that intimation was given to you?—The inference I drew from it was that he expected favour.

8581. Because he was an Orangeman?—Yes.

8582. And he made it known to you?—That was his idea, no doubt.

8583. Conceiving you would sympathise with him as such?—Yes.

8584. You have stated the Ballamena district is twelve miles long by seven miles broad, how many magistrates are there within that distance?—The magistrates come from a great distance round.

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8585. How many act within that distance do you suppose?—I should say, perhaps, fourteen or sixteen.

8586. You have already stated that all those are Orangemen?—I should think, with the exception of one or two, they were Orangemen, I cannot be positive of it. I think Mr. Geham, who is a most respectable man, and a very excellent magistrate in the neighbourhood, is not an Orangeman.

8587. Do you state they are Orangemen merely from the line of politics they pursue, or have you grounds for knowing they belong to any Orange Lodges?—No, I have no grounds for knowing, it is merely my own inference.

8588. Are they reputed such in that district?—If I were to meet any person and ask him, he would give the same answer, I have no doubt, I have already given.

8589. It is not only your own impression, but the public repute?—Yes.

8590. You do not think they would be included in the same manner you say other people are imputed to be Orangemen whom you say are not?—No, I believe they are actually Orangemen.

8591. You say there are fourteen or sixteen?—Yes.

8592. You have mentioned, with regard to the several processions, in one particular instance, since the Processions Act, that you put that procession down by the common law and not by the Processions Act?—Yes, I acted both ways, I read the order to disperse under the Processions Act, but I read the Riot Act under the common law, founded on the sworn information I had received, as to the tumult likely to take place.

8593. You stated on one occasion that you were asked to put a stop to it, that you acted entirely on the common law, inasmuch as a man said he dreaded a riot, therefore you thought yourself enabled to act on it, to put that procession down?—Yes, I took two sworn informations.

8594. Upon that you put the procession down?—I did; but I also availed myself of the power given by the Processions Act, I read first of all (on going to the crowd) the order to disperse, which would bring any person under the Processions Act if they remained fifteen minutes, and would be liable to summary punishment. I read the Riot Act under the common law, that if they remained an hour I could then use force to disperse them, if I saw the peace of the country made it necessary I should do so.

8595. It is your opinion the common law is not sufficient to put down the processions?—I think it is quite sufficient.

8596. But not without sworn informations?—No, I conceive a magistrate must have a foundation for all his acts, and no one acts safely who does not take sworn informations under the common law.

8597. You think that if the common law was fairly put into force, all the processions might be dealt with in the same way?—I am quite certain of it, I know I hold a very solitary opinion; but I have always felt that there is quite sufficient law to preserve the peace, if it were acted on with promptitude, with fairness and decision.

8598. It is your opinion, as far as the disturbances in the country go, that if the magistracy will co-operate together, they have power by the common law to put those processions down?—I have no doubt of it; there might be extreme cases; there might be a case where a magistrate could not get any person to lodge an information.

8599. Do the magistrates sometimes refuse to take informations?—It is, to a certain extent, discretionary. I might be in a very Protestant country, and though there was to be a large assemblage of people, I might find it difficult, if not impossible, to procure any person who would lodge an information. There the processions law would be necessary.

8600. It is your opinion no further local enactment is required, provided that the magistracy co-operate together to put down those processions?—My own impression is, it is not; what I last stated is an extreme case. I could, from a constable, receive the necessary information.

8601. Is it your opinion that it would be unwise, or otherwise, in Government, as far as your part of the country is concerned, in the present state of Ireland, to pass a legislative enactment with regard to the societies in Ireland?—I conceive that if the magistrates do their duty, as they are sworn to do it, there is no occasion whatever.

8602. Do you think that it would create any ill feeling, and contribute to rouse the

the animosity of any one party, if they were singled out by any legislative enactment that did not include all associations and societies and combinations?—If any law were to be passed it ought to be one of the most general nature, embracing every society of every kind, otherwise it would excite a very angry feeling indeed.

8603. Do you think it would excite so angry a feeling that it would rather tend to the contrary effect of that which would be intended by Government?—I think it would; and I think it would be perhaps very difficult to get magistrates to act under it, as it is under the present law.

8604. You still think there is power under the present law, if properly enforced?—I am a moveable person, and may be sent any where by Government, and I should feel perfectly assured in preserving peace (send me where they will) with the present law. I have always had that conviction on my mind.

8605. You think that you could even execute the laws in any portion of the north of Ireland with which you are acquainted?—I do.

8606. You have been asked some questions just now, "supposing the magistrates do their duty," do the magistrates do their duty?—I do not conceive they do.

8607. If a magistrate, according to the law, can put down a meeting on receiving an information, and the magistrate will go out of the way for the purpose, being Orangemen, will they go out of the way for the purpose of avoiding receiving those informations, how can the common law be acted on?—I have stated a case in point, which I was forced in my own defence to send to Government. I had no wish to implicate individuals. I was content to do my duty when Mr. Hill said he had no law for taking down the arch. I felt myself perfectly justified in taking it down.

8608. You say yourself, in any part of the north of Ireland, you would be able to enforce obedience to the laws, with a tolerably fair support of the constabulary?—With a necessary force, of course.

8609. If the magistrates were all animated by the same impartial spirit as you are, and determined to do their duty, you think also that they would be able to enforce the law?—I do; but it ought to be said for the local magistrates that they are placed in a very different situation from the one I am placed in. I am independent, and wholly unconnected with any thing, except to do my duty.

8610. And unconnected with party spirit since you have been a stipendiary magistrate?—Yes; I never since intermeddled.

8611. To have that duty enforced of which you speak, it would require that the individuals should be similarly circumstanced with you?—It would be advisable.

8612. Would it not be of the greatest advantage to the north of Ireland, where the magistrates are Orangemen, or deemed to be such, where they display party spirit, where the persons are brought forward, who are Orangemen, take care to intimate to the bench distinctly that they are so, in the expectation of favour being shown to them, that the stipendiary magistrates impartial and determined would be essentially requisite?—No doubt they would; I have always been of that opinion.

8613. And would be well calculated to promote peace in that district?—If a stipendiary magistrate does not act from any better motive impartially, he will act for the purpose of preserving his salary and situation, if he is not actuated by more enlarged principles.

8614. You have no doubt in the world yourself that it is only the circumstance to which the Committee has alluded which prevents justice being done, and those parties being put down?—Yes, I think it would be put down with little or no trouble if the magistrate would co-operate.

8615. And you think that it does not require additional law to do it?—Not any.

8616. With regard to processions, it is perfectly clear you may, under the present law, put a stop to those; but are you of opinion that the law enables you to put an end to all other displays of party feeling, and arches, and displays of flags?—On information, certainly.

8617. Under what Act of Parliament would you proceed to take down the arch?—If an arch was there, I would not go to take it down unless it was connected with something likely to lead to tumult, and I had received information on oath that it was so calculated.

8618. You would proceed to stop the erection of the arch on an information on oath laid before you that there was apprehension of a riot?—Yes.

8619. But supposing an arch to be quietly put up in the course of the night, however offensive to the feelings of the Roman Catholics, you have no power or authority under the present law to remove it?—Suppose it is shown that the Roman

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Catholics have sworn to take that down by force, and that another party is determined to protect it.

8620. You have power to prevent a riot, but not to remove what is an offensive display of party?—If I conceive the most effectual way to ensure tranquillity is to remove the arch, I am fully justified, in my humble opinion, to do so.

8621. But not without an information that a riot was expected?—No; what I say is, I do not stir without an information.

8622. You have power to quell a riot but none to take down an arch?—If I stir the least, without an information and without taking the greatest possible precaution, memorial after memorial goes against me.

8623. Might not this occur, that an arch might be erected and there might be no person to come forward to give information that a riot was apprehended, might not you be in that situation that you could not remove the arch?—I cannot well contemplate that I should be placed in that situation; I have mentioned it is an extreme case, that such a thing might occur.

8624. But in every case you must have an information lodged before you can act on the common law?—Yes.

8625. As to the display of flags from the steeples, you have no power to remove those flags?—I should be very sorry to meddle with the prejudices of the people more than was actually necessary for public advantage.

8626. Is it not your opinion that the display of a flag from a steeple, or from any other place, is calculated to excite some degree of party feeling, to lead to the display of a flag by the opposite party from another place, and beginning in that way a collision will ultimately take place?—I do not mean to say that the flag could not be legally removed.

8627. You have not power to remove that flag?—I have, if I have an information; I should be cautious who I received an information from. I should not take it from any idle person.

8628. If you have a law to put an end to all flags and processions whatever, you think it would be a good thing?—It would point out clearly to the magistrates what the Government intended should be done; but certainly I have always been of opinion that the common law is sufficiently powerful.

8629. Do not you think flags may be put up on steeples and churches, their having been put up a number of years without giving offence, and not with a view of giving offence?—They may originate from a custom that would be better done away with. I saw one as I passed on the last 12th of July; I did not meddle with it.

8630. Are you aware that the parish church of St. Werberg, Dublin, the parish church of Dublin, the flag is hoisted every 1st and 12th of July, and has been ever since the time of King William?—I was not aware of it.

8631. You were asked if the Catholic clergy interfered at elections, you said they did, and expressed their sentiments in a way that was likely to make an impression on their hearers, do the Protestant clergy interfere at elections?—They do.

8632. Did they make speeches, and address their hearers?—I never heard the Protestant clergymen make speeches, I have seen them very warm partisans.

8633. Are the Protestant clergy, every one of them, members of the Orange clubs and associations?—Oh dear yes.

8634. You heard some speeches and opinions attributed to Mr. O'Connell, do you think any opinion delivered by Mr. O'Connell or any other person is a sufficient excuse by the population for breaking and disturbing the law of the land?—Certainly not.

Veneris, 31° *die Julii*, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

William John Hancock, Esq., again called in; and further Examined.

[*The Evidence of the Witness on a preceding day was read.*]

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8635. DID you volunteer to attend that investigation, or did you receive instructions from any authority to do so?—I received a letter from Mr. Gregory, the Under-Secretary, dated Dublin Castle, 22d of December 1830.

[*The Letter was put in.*]

Sir, Dublin Castle, 22 December 1830.

I AM directed by the Lords Justices to inform you, that Louis Perrin, Esq., one of His Majesty's Counsel, has received directions forthwith to proceed to Lurgan, for the purpose of investigating into all the circumstances connected with the outrage which took place at Maghery on the 22d ult.: I am further to acquaint you, that it is Mr. Perrin's intention to reach Lurgan on Monday next, on which day their Excellencies trust you will attend at Lurgan, and render Mr. Perrin every assistance in your power in the investigation alluded to.

I have, &c.

W. Gregory.

W. J. Hancock, Esq., Lurgan.

8636. Did you understand that any communication had been made from Colonel Blacker to the Government?—I heard he made a report on behalf of the magistrates who were assembled at Maghery to investigate the outrage. The report I allude to was made by Colonel Blacker on behalf of the magistrates.—[*A document produced.*]—That is an abstract of the evidence taken before Mr. Perrin; the document I allude to is the report made by Colonel Blacker; I know there was a report made; the informations were taken home by Colonel Blacker to make up the report. I was present at the investigation; Colonel Blacker took all the papers, and said he would make a report to Government. I should think the report was made. It must have been some time in November 1830, communicating the result of the investigation by the magistrates at Maghery.

8637. Did you make any communication to Government yourself on the occasion?—Yes, I did.

8638. To whom did you write?—To Mr. Stanley, the then Secretary, on the 30th of November 1830.

8639. Have you got a copy of it?—Yes, I have; I would prefer the original document being produced; all those documents must have been before Mr. Perrin. The magistrates came to no resolution, nor was any proceeding had on the information. We left the place with the impression that Colonel Blacker was to make what report he thought fit, on the evidence, to Government. I did not feel confidence that the report would be satisfactory to the people of the village. I had a communication with the people, who were very unwilling to come before the magistrates then assembled.

8640. Then the letter referred to is the one you wrote?—I wrote my own report to the Government.

8641. Was it a letter you wrote of yourself, or were you directed to write it?—I wrote it entirely myself. I should think you could get the documents.

8642. Is it a feeling of delicacy on your part that such a thing should come from Government, and not from you?—It is; if Government wish, they can put the letter before the Committee.

8643. Was it the understanding on the part of the magistrates that Colonel Blacker was to make the report?—Not my understanding.

8644. Your letter is a sort of protest?—Yes, probably it may be so called.

8645. Did you object at the time to Colonel Blacker's report?—No, I came in late

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late to the meeting; I expected the report, before it was sent off, would have been submitted to the magistrates; but I heard no more of it.

8646. Will you state the date of that copy that you have?—The 28th of November.

8647. The course of the proceeding was this; the magistrates met and received depositions; then it was a question was, put to the magistrates, how those depositions were to be forwarded to Government?—There was no question put; that was one of my objections.

8648. However, it was the general feeling of the magistrates?—Yes.

8649. You did not think it a proper course, and some others thought so with you?—I did not think it a proper course. I do not recollect any person agreeing with me, for the case was not mooted.

8650. You did not protest at the time?—No, I could not protest against a thing not in existence.

8651. Colonel Blacker undertook to make the report, and you did not feel confidence that he would make a proper report, therefore you wrote this letter?—Yes, so that the whole case might be before Government on documents, that they might investigate it if they chose; and the whole subject matter of my letter was for investigation and inquiry.

8652. How many magistrates were present on that occasion?—Eight.

8653. Will you read the copy?—

[*The Witness reads the copy of his Letter to Mr. Stanley, dated 28th November* 1830.]

COPY of a LETTER from *William John Hancock* to the Right Honourable *E. G. Stanley.*

Sir, Lurgan, 28th November 1830.

IT becomes my duty, having the honour of holding His Majesty's Commission of the Peace for the counties of Armagh and Down, to make you a report of a very serious outrage which took place at a small village on the borders of Lough Neagh; the village is situate on the River Blackwater, which divides the county of Armagh from Tyrone, the village being in the county Armagh. There is a ferry across the river at the village, and about three miles higher up the river is a private toll bridge, called Verner's Bridge.

It appears a number of Orangemen marched from Killyman, in the county of Tyrone, over Verner's Bridge, on Friday the 19th instant, through the village of Maghery to the Bannfoot; on going through the village (the inhabitants of which are all Catholics) the Orangemen were joined by the inhabitants, who asked for several tunes, which were readily played by the band, which pleased the inhabitants so much that they walked with the Orangemen to the Bannfoot, nearly two miles.

The Orangemen crossed the Bannfoot ferry, and the inhabitants of Maghery returned home in high good humour.

The Orangemen proceeded to the house of a man called Richard Wilson, and being there joined by many brother Orangemen of the townland of Derryinver, they proceeded to hold a Lodge, or, as it is called, a "Black Sitting;" John Richardson, of Killyman, acted as Master, and Alexander Murphy, jun., as Secretary. The party remained together all night; in the morning it blew a perfect hurricane, and the boats could not cross the ferry at the Bannfoot, and the Orangemen were detained until the gale abated. They arrived at the village of Maghery about ten o'clock, and were met by some of the inhabitants, who asked them to play "Patrick's Day," which was refused; and the band immediately began to play "The Prussian Drum," or "More Holy Water;" upon which a skirmish took place; the Orangemen were beaten, their drums broken, and some hats lost; the Orangemen retreated to Verner's Bridge, and it so happened that an inspection of Colonel Verner's yeomanry corps was held on that day. The Orangemen applied to the corps to come with them to help to wreck Maghery; this, however, was prevented by the interference of Colonel Verner and the officers of the corps; and the beaten Orangemen returned home.

On Monday morning a large body of armed men marched with drums and fifes past the house of Mr. Boretree, who is, I believe, an officer in the Killyman yeomanry corps, who states he remonstrated with the party, who declared their intentions to wreck Maghery; not being able to stop, he rode off towards Verner's Bridge, and called upon Captain Lloyd, of the Killyman yeomanry corps, to interfere to stop the party, and rode on to the house of Colonel Verner, to apprize him of the party; the Colonel immediately repaired to the bridge and locked the toll-gate, to prevent the party from crossing the bridge. The Colonel then asked the men what they wanted, and they said their drums had been broken at Maghery, and they had been beaten, and they would have satisfaction. Colonel Verner said the damage should be paid; but the mob said we must know that the Maghery people do pay; and deputed two of the party to go to Maghery with Colonel Verner to get paid; the others agreeing to disperse and go home. Colonel Verner, when he had got the two men who were to accompany him, went to his own house to get his breakfast, and as soon as he was gone, the armed party broke over the gate and proceeded to Maghery; Colonel Verner overtook them upon the road, and, as he states, did every thing in his power to prevent the party from proceeding, but without effect. On the party marched; and when they arrived at Maghery commenced operations by breaking the doors, windows and furniture of the inhabitants,

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inhabitants, in fact completely wrecked the village, in the presence of Colonel Verner and some of the constabulary police; and having done, marched off with drums beating in regular order, Captain Lloyd at their head, and the rear brought up by Colonel Verner. No attempt was made by Colonel Verner, though a magistrate of the counties of Armagh and Tyrone, to take a single prisoner; nor did he bring out his labourers to assist in interrupting the return of the party over the bridge, as he might have done, but allowed the party to march in triumph over the bridge, and home to Killyman, nor has a single individual been arrested or held to bail.

A meeting of magistrates was held on Thursday at Maghery, present Mr. Atkinson, of Crowhill, Colonel Verner, Colonel Blacker, Mr. Hardy, Mr. F. Ford, Mr. Algeo, Mr. Woodhouse and myself; only three or four of the inhabitants could be got to come forward: and not a single individual was identified, or a name mentioned, though the party marched publicly with drums and fifes, in open day, through three miles of the county of Armagh, and two or three of the county of Tyrone; Colonel Verner stated he did not know one of the party, and Captain Lloyd swore he did not know a single individual. No resolutions were come to by the magistrates, nor was any reward offered, nor in fact the slightest exertion made, save only to establish by evidence that a riot had taken place on Saturday, and that the Orangemen had been beaten on that day. Such being the termination of the meeting, I felt it to be my duty to ascertain who were the individuals who came to the Bannfoot on Friday, and I give you their names; as I stated, John Richardson, of Killyman, acted as Master, and Alexander Murphy, jun., of Derryinver, as Secretary; one Blevins, lives at Carrary, near Colonel Verner's, John Ash, bugle player to Captain Lloyd's yeomanry corps, Charles and William Rice, Richard Dilworth, Andrew Watt, Edward Rice, William Simpson, and John Walker, of Killyman; Hazleton, of Killyman, played one of the bugles; Leslie from Moy; a soldier on furlough, with his side arms, named John Williamson; all those, and many others, marched through Maghery on Friday and returned through on Saturday morning. The inhabitants of Derryinver, who met the county Tyrone men, are all tenants of Charles Brownlow, Esq., they sat in the Lodge on Friday night; but, as far as I can ascertain, did not cross the Bannfoot ferry on Saturday or Monday; their names are Richard Wilson, John Wilson, John and Edward Addy, Edward Wilkinson, John Forker, Alexander Murphy, Robert Murphy, Richard Murphy, John Murphy, William Walker, William Wilson, William Richardson, James Turkington, John Hewitt, William M'Clelland, John M'Kinney, John Richardson, Jonathan Richardson, Alexander Humphries, William Carrot and Samuel Wright, all living in the townland of Derryinver.

I have given as full and as impartial a report as in my power, and I have given the names, in order that his Excellency may have no difficulty in getting an investigation set on foot, if it is his pleasure so to do; and I am sure, if the recollection of the transaction at Gleno is not effaced from his Excellency's memory, he will feel it is due to the peace of thi district to have a full and complete investigation into this transaction.

I have, &c.

William John Hancock.

8654. The letter you received from Mr. Gregory was in consequence of that communication?—It was.

8655. The investigation took place on the 25th of November?—Yes; it took place at Maghery some days after the outrage; there was no adjournment of the meeting of the magistrates.

8656. Do you know if prosecutions ultimately took place?—I know Mr. Perrin made a report, and it was the petty sessional clerk of Lurgan who assisted him to take down the whole evidence; the depositions were all signed by the magistrates, at Mr. Perrin's investigation; I presume copies have been returned.

[*The copy of the Evidence taken before Mr. Perrin, and also the abstract of the Evidence taken before Mr. Perrin, and Mr. Perrin's Report, were delivered in.*] *Vide* Appx.

8657. Look at these documents?—The one is the copy of the evidence taken before Louis Perrin, Esq., on the 28th of December 1830; the other is the abstract of the evidence taken before Mr. Perrin, and is in the handwriting of the clerk of Mr. Hazlitt the attorney, who was employed by Mr. Algeo on behalf of Lord Charlemont, to conduct the investigation for the people of Maghery.

8658. That is not evidence taken by Mr. Perrin?—No, by the person for the information of Lord Charlemont. The other document is a copy of the evidence taken before Mr. Perrin; the abstract was taken for Lord Charlemont's information; the copy of the evidence contains Colonel Verner's evidence, and Jackson Lloyd's evidence.

8659. Were the magistrates present at the examination before Mr. Perrin?—Yes; he made the magistrates take the depositions and sign them. We were all ordered to assist Mr. Perrin; he said the best way was to proceed legally; one of the magistrates to administer the oath, and he would take the depositions and go through the proceedings regularly.

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8660. Did you attend that investigation at which Mr. Perrin was?—Yes, I did attend every day.

8661. You there met the magistrates who had before investigated the case with you?—Yes. This is a copy of the evidence taken and briefed from Mr. Perrin's notes, and the maps given to Mr. Perrin of the ground, to make it more fully explained.

[*Mr. Serjeant Perrin's Report put in, and read.*]

REPORT of the result of my Inquiries into the circumstances connected with the Riot at *Maghery*, on the 22d November 1830, together with my opinion thereon, and which I humbly certify. *Louis Perrin.*

Among them a soldier in uniform, and with his side arms.

On Friday the 19th of November a party or lodge of Orangemen (the number does not plainly appear, but was, I think, above 20,) marched, with drums and other music playing, from the neighbourhood of Killyman (the place of assembly is not ascertained) in the county of Tyrone, by Verner's bridge, into the county of Armagh, and passed through the small village of Maghery and over the Banfoot ferry, in the neighbourhood of which they held a meeting, denominated "a black sitting of Orangemen," in concert with other Orangemen of that district, and consisting, as it seems, of members from several lodges. (The witness, R. Wilson, stated in reply to a question from Colonel Blacker, that he had heard that a black sitting is discountenanced by the Grand Orange Lodge, but that such meetings go on in Dublin, and that there was then in Lurgan a warrant issued from Dublin within 12 months, authorizing such a sitting; its precise character or object I could not ascertain, nor more than that it was an order of Orangemen.)

See depositions of Richard Wilson. William Wilson. John Richardson.

This party, or lodge, returned on Saturday the 20th of November by the same route, and were attacked in the village of Maghery and several of them severely beaten by the inhabitants, who are Roman Catholics, and who either took offence or affected to take offence because the party refused to play a tune called for, "Garryowen," (the day before they appear to have played several to gratify them, and to have been on good terms), and when pressed to do so, played one called "The Protestant Boys," (changing from that they had been playing, "The Highland Laddie.") The assailants appear to have been numerous, and a person of the name of Joseph Campbell, an inhabitant of Maghery, is sworn to have been the leader of, and taken a principal part in, the assault and riot. The drums were broken; some of the party were knocked down and wounded; and four or five lost their hats. Colonel Verner, who had seen the party on the day before, having heard of the affray and in consequence proceeded towards Maghery, met the beaten Orangemen upon the way. They complained to him (principally through the person at their head, or master of the lodge, and whom, though Colonel Verner did not know, he describes to have had a very respectable appearance,) of the assault; he questioned them, and observed on their own impropriety in passing with drums and fifes playing along the public roads, recommended them to let the matter rest, but added, that if they were not satisfied they might proceed at the ensuing petty sessions of Portadown for redress. A rumour reached Mr. Verner the same evening of an intention on the part of the Orangemen to return that night and take revenge, in consequence of which he gave instructions to Lieutenant O'Neill and his own bailiff to remonstrate with and persuade them to go home; he heard next morning that they had got their hats and gone home.

W. M'Kittrick.

W. M'Kittrick. John Irwin. John Hughes.

W. Verner, Esq. This deposition is deserving of perusal.

Mr. Verner. Lieut. O'Neill, This deposition is deserving of perusal.

On Monday the 22d a number of men assembled about day-break, in the parish of Killyman, (the place of assembly is unascertained,) armed, several with muskets and bayonets, others with guns, swords and poles with bayonets on them, and proceeded with drums beating and fifes playing along the public road, with the declared and avowed intention of taking revenge upon the inhabitants of Maghery for the affair of Saturday. The alarm spread, and Mr. Boretree, a lieutenant in the Churchill corps of yeomanry, who resides in Tyrone, having heard of it, proceeded first to meet and endeavour to disperse the party; but from what he heard of their declarations, changed his plan and went to apprise Mr. Jackson Lloyd (captain of the Killyman corps of yeomanry), and Colonel Verner (captain of the Churchill corps of yeomanry, and a justice of peace for the counties of Tyrone and Armagh) of the danger, and with them concert measures to prevent it. Mr. Lloyd, who had before heard the alarm from one of his own servants shortly after Mr. Boretree's departure, met the party at his back entrance (their drums beating); he stopped them and remonstrated with them in vain, they marched on; he mounted his horse and overtook them half-way down his avenue, had some more unavailing conversation with them and rode on towards Verner's bridge, (his deposition deserves attention, though it is unaccountably vague and not quite reconcilable with the other statements, as to numbers and arms; he appears to have been acquainted with the persons of several, and some by name, who resided in his neighbourhood.)

Lieut. Boretree. Captain Lloyd, and others.

See his deposition on the 5th January, and compare it with that made on 25th Nov.

Mr. Lloyd was unable from indisposition to attend at Lurgan, I therefore went to his house in Tyrone and examined him there.

Mr. Boretree had gone to Mr. Verner and told him that "the Killyman Boys were going over the bridge to wreck Maghery, and that if Colonel Verner could not stop them by shutting the gates, the party would not be stopped." Colonel Verner immediately proceeded to the bridge, which is a short distance from the gate of Churchill demesne; the road from over the bridge runs directly to the gate; as he passed the police house or station, which is on that road, near the bridge, he directed the sub-constable (Gallaghan) to send the serjeant or constable (Crawford) after him. Colonel Verner had the gate and side-doors of the bridge locked (it is a toll bridge over the Black-water, the gates are iron, above six feet high, with spikes

Lieut. Boretree. Col. Verner.

spikes on the top); in a few minutes after Colonel Verner, Captain Lloyd, Lieutenant Boretree and the serjeant of police had met upon the bridge, the party came forward along the Tyrone road towards the bridge, marching in regular rank and file, with drums beating and with from 20 to 25 guns and other arms (the statements as to the numbers and quantity of arms vary a good deal; the Rev. Mr. Donaldson counted those that passed Crones, near Maghery, and reckoned 47 guns at the least, but here I adopt Colonel Verner's statement.) Col. Verner. Lieut. Boretree. Sub-constable Gallaghan observed one or two with cross belts and pouches near Thompson's inn after the party had passed the bridge.

Colonel Verner went forward and met them on the middle of the bridge; they talked to him and declared they were going to Maghery to take revenge for the injury they had sustained on Saturday; he remonstrated, pointed out the illegality of their conduct; they replied, and, among other things, declared they would fight for themselves; he protested that he would not allow them to pass the bridge; they talked of passing the river lower down in boats; he again remonstrated in strong terms on the impropriety and illegality of their conduct and proceedings; but he did not, as he ought to have done, assert his authority as a magistrate; he did not, as such and as prescribed by the statute, call upon and require them to disperse and depart to their habitations; nor did he endeavour or threaten to apprehend any of them or demand their names or residences; and having failed to persuade them to return, he entered into a parley with them and assented to an arrangement, by which two of their party were selected and deputed to proceed with him to Maghery, in order to procure pecuniary satisfaction to repair the injury done to the musical instruments on Saturday, the remainder of the body being to continue, in the meantime, assembled in arms to await the result of the mission, under a promise not to force or pass the bridge till Colonel Verner or the deputies should return, (one of these was the man at the head of the party who addressed and complained to Colonel Verner on Saturday, but his name or residence has not been ascertained.) Col. Verner. Lieut. Boretree.

These terms having been made, Colonel Verner sent the serjeant of police from his station and from the bridge to accompany the deputies to a Mr. Crone's, a house on Colonel Verner's estate on the road to Maghery, and there to await his arrival; he gave no orders to the sub-constable who was in the police-house, but having given the gate-keeper strict directions to keep it locked, he left no person to watch or control this tumultuous body. He and Captain Lloyd went to Churchill-house, and breakfast being ready, staid to partake of it, and Lieutenant Boretree having private business at Dungannon went to the inn near Churchill-gate (Thompson's) for his horse; (it is observable that there had been an inspection of the Churchill yeomanry on Saturday the 20th.) Mr. Boretree having got his horse, on his return to the bridge found two (one of them armed) in the act of climbing over the gate, whom he reprehended, and the rest of the party alleging that they wanted to go to Thompson's inn, on the Armagh side, merely for refreshment, he prevailed on them to return to an inn (Murray's) somewhat more than a quarter of a mile on the Tyrone side of the bridge, promising to give them a glass of whiskey each, which he ordered, and leaving them drinking went on to Dungannon. Lieut. Boretree

It is here to be observed, that neither Colonel Verner nor Lieutenant Boretee, Mr. Murray, nor the police serjeant, nor the gate-keeper, can tell the name of any one of those who spoke or took a part or had arms on this occasion, and Captain Lloyd is almost equally uninformed.

When breakfast was over, or nearly so, at Churchill, the drums were heard approaching, and the party seen from the windows of the house coming back along the road on the Tyrone side towards the bridge, and in some time after a servant who held the horses at the door mentioned that the party were on their way to Maghery. Captain Lloyd.

They had in fact passed over the bridge and through the gate, which had been thrown open by the gate-keeper, who went into his lodge to eat his breakfast. Ed. Fox.

Colonel Verner having heard this, desired his game-keeper to go on to Maghery and take his gun, that he might have his assistance if necessary, provided himself with the Riot Act and wrote to Mr. O'Neill, Lieutenant of the Churchill corps. "I am afraid there will be bad work in Maghery; Jackson, Lloyd and I are going down in order to prevent it; will you have a few steady men ready in case I should need your (or their) assistance, or follow me down?"—W. V. The reason he assigns for writing is, that he feared (from rumours he had heard) there might be strangers in Maghery prepared to give opposition to the party going down. Col. Verner. Lieut. O'Neill. For the result of this letter I refer to Lieut. O'Neill's deposition.

Colonel V. having overtaken Captain Lloyd and Fox, his bailiff, they passed several going along the road, and overtook the main body about a mile from Maghery, when Colonel Verner used strong language to them, upbraiding them for their misconduct; he rode in front, and said they were a pretty set of blackguards for breaking truce and their words with him, and he exacted a second promise from them to stay there and await the result of the mission to Maghery. Here, again, he does not appear to have had recourse to the proper means as a magistrate to disperse them or require them to go to their habitations. And though it appears that several of the Churchill yeomanry reside upon or near that road (the permanent serjeant Jackson on the road side), he did not call on any of them to assist in preventing or quelling the riot or preserving the peace; but not even using the precaution to leave Captain Lloyd, or Fox, to secure their abiding his return, he, Captain Lloyd, and Fox, proceeded towards Maghery, called at Crone's for the deputies and police serjeant, and were scarcely well in the village and commencing to speak to some of the inhabitants, before the party appeared at the end of it with drums beating. The village is situate upon a gentle eminence, and consists of a few houses or cottages; the road diverges at the top of the hill, so as to form three lines or streets, along which the houses are scattered at greater and less intervals, the road from Verner's bridge being one. As soon Col. Verner. Captain Lloyd. Lieut. O'Neill.

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Col. Verner.

Serj. Crawford.
William Fox.
Dan. Kilpatrick.

John Campbell.
Eleanor Campbell.

Sarah Megarry.
Eleanor Campbell.

Col. Verner.

John Campbell.
Col. Verner.
Captain Lloyd.

Col. Verner.
Captain Lloyd.

Peter Campbell.

Lieut. O'Neill.
Col. Verner.

Col. Verner.
Lieut. O'Neill.
William Fox.

Col. Verner.
Lieut. O'Neill.

Col. Verner
Lieut. O'Neill.
William Fox.

Col. Verner.
Lieut. O'Neill.

David Duff.
His deposition is deserving of attention.

as Colonel Verner observed the body advancing, he left his horse in a man's hand, and ran to meet them, and he strenuously exerted himself to prevent their entrance into the village; before he reached them, they had destroyed the windows of one house; he used very strong remonstrances and language in vain; the body still pressing on, he read the Riot Act or proclamation, stated its effect, that they had compelled him to do so, that he would recollect many of their faces, and that they had subjected themselves to the severest penalties of the law. It is stated, that about this time one of the rioters levelled a gun at Colonel Verner, and swore he would put the contents through him; that person has not been apprehended nor identified, though seen by three persons who were present and depose to the fact. After Mr. Verner had read the Riot Act, and while he and Captain Lloyd were actively engaged in preventing the body from entering the village by the road, some of them passed across the fields to the houses at the other ends of the village, where they proceeded to wreck the houses (this is the well known term, as stated by one of the witnesses,) without interruption; 28 houses appear to have suffered more or less, every window in all completely smashed, glass and sashes; the doors of several injured. Joseph Campbell's particularly was perforated in several places by bayonets, and the panels broken. The furniture and contents of the houses generally broken or burned, and the vessels for dressing their food, the wearing apparel of the men, women and children, and house linen burned or carried away; the bedding set on fire; burning coals placed in some of the beds and in the thatch of some houses, one took fire. One old man, Hagan, was cut in the cheek by the blow of a gun; Mrs. Campbell, a widow, who keeps the inn, was wounded in the forehead by a bayonet, and then knocked down and stunned by the blow of a stone; her glass and furniture broken; spirits (five or six gallons) and beer spilled; money (between five and six pounds) taken; a feather bed cut up; table and house linen and apparel of herself and children taken; her son, a lad of weak intellect, fired at, and his coat perforated by the shot; and this woman, within eight days of childbed, struck with the butt of a gun, and another, and her infant child, beat and knocked down. Fortunately the men of the village had fled, and no resistance was offered. The party continued the work of destruction nearly an hour, not merely in the remote parts of the village, but throughout, leaving scarcely one house untouched, without any effectual opposition, though occasionally checked by Colonel Verner where he was; he prevented them from breaking into one house, he pulled several out of the houses near him, and when some man told him the people were putting things in their pockets, he rushed into a house, seized one fellow by the collar, and dragged him out; I searched him, but found nothing on him; he is said to have used expressions, when restraining them, which appear to have been misinterpreted by some of the Maghery people. And it is sworn by several witnesses, that Colonel Verner was, more than once, threatened with personal violence, and his safety endangered by his interference to restrain or prevent mischief.

The party were at length drawn from the village by the exertions of Colonel Verner and Mr. Lloyd, and moved, upon their return towards Verner's bridge, with drums beating, Captain Lloyd riding with or near the main body, Colonel Verner staying behind to collect and prevail on the others to go on; a few broke off the road and attempted to wreck some cottages at White Island, but were effectively prevented by Colonel Verner.

Further on and near Crones, some others made an attack upon a house and its inmates, by name Megarry, tenants of Colonel Verner (they are Roman Catholics, and there were persons of the same name inhabitants of Maghery); the conduct of the assailants, though few in number here, was very outrageous. One of the Megarrys was knocked down, kicked with savage violence, and would have been run through by a fixed bayonet but for the exertions of Lieutenant O'Neill, who had met the body on its return at Crone's, as he came from Verner's bridge; another of the assailants was stopped by Colonel Verner (or a man named Boys) in the very act of presenting a gun through the window to fire in upon the inmates, and another of them broke his bludgeon against the door-frame by the violence of a blow aimed at one of the Megarrys. The assailants having wrecked the house and abused the inmates, carried off the barrel of a gun and joined the main body.

It deserves remark, that though there were but five of the offenders here, and though their acts were so glaring, not one has been apprehended or identified.

The whole body then marched back towards Verner's bridge, with drums beating, along the public road, through a populous part of Colonel Verner's property, accompanied by Captain Lloyd, and followed at a short distance by Colonel Verner and Lieutenant O'Neill, as far as the gate of Churchill demesne, whence they saw them pass over the bridge, and then turned into the demesne and took no further cognizance of the matter.

The great body went over the bridge to the county of Tyrone; but it is plain, from the statement of Captain Lloyd (though his accuracy is not to be taken for granted) and the testimony of several who have identified some of those who were at Maghery, that this body was joined by others, after they passed the bridge and on the way to Maghery, who did not go back with them to Tyrone. When they came to Murray's they halted, and again got a glass of whiskey each. Captain Lloyd still remained with them (he says Murray was at home at this time also,) till they came to his gate, where he parted from them, and they went on along the high road, their drums still beating; they were shortly after met marching thus, and with arms, in military array, by Mr. Murray, a magistrate of Tyrone, and chief constable Duff, with a party of eight or nine police, who had heard of the alarm and with laudable zeal had come from Dungannon to render any necessary assistance. They being informed that Colonel Verner had been with them, that no damage had been done, but an arrangement made about Saturday's affair, passed on to Verner's bridge, where the magistrate and party remained, and the chief constable went forward to Colonel Verner's

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Verner's house and told him, that having heard of the row at Maghery, he had come to know if he had any orders; to which Colonel Verner replied, that nothing could be done then, that he was writing to the Castle upon the subject, that the post was going out, and that he had no orders for him; upon which the police returned to Dungannon, and no attempt was made to apprehend the offenders, as they conceived the matter having occurred in Armagh was the proper subject for magistrates of that county; it has not been ascertained where the rioters marched to or dispersed.

It thus appears that a body of armed men assembled by beat of drum in the county of Tyrone, for the avowed purpose of "wrecking Maghery," marched to Verner's Bridge, were there some time in conversation with three yeomanry officers, one a magistrate, and the serjeant of police; afterwards treated with whiskey by one of them, and were not prevented from going in military array, with drums beating, through a well-inhabited part of the county of Armagh, and a neighbourhood where several of the Churchill yeomanry (which had been inspected the Saturday before) reside, to attack the village; that their numbers increased as they proceeded, and notwithstanding the presence of two captains of yeomanry and a magistrate, and of several of his tenants and servants, they wrecked the village, and destroyed and pillaged the property of its inhabitants; and having done so, returned in triumph, the officers and magistrate following them, yet not one man was called to account or apprehended; but when a body of police from the next county proffered their assistance and asked for orders, the chief constable was told nothing could be done then—there were no orders for him. This exhibits an ill and dangerous example, and one not creditable to the magistracy, gentry, yeomanry or police of the district.

It is right to say that Mr. Duff is not supposed to be included in this observation.

Some surprise seemed excited that witnesses who attended at the late investigation did not go forward to the meeting of magistrates on the Thursday following, and a feeling to exist as if that circumstance was unfavourable to their credit; I certainly did not entertain the same feeling, and I can suppose many reasons why they did not go forward on that occasion, without impugning their veracity.

There were two notices produced, one by Mr. Algeo and one by Mr. Patten, of a threatening nature, but of a much later date; no proof was given of them, but I return them with the depositions.

It has been said that the perpetrators of the mischief were few, young lads in ragged apparel, and that several among the main body appeared well disposed. I am by no means of this opinion, and I think it disproved by the fruitlessness of Colonel Verner's exertions in the village, when he had Kilpatrick, Captain Lloyd, John O'Neill (the gamekeeper), William Fox, Serjeant Crawford, Bilsland, Reynolds, Moneypenny (sub-constable), and M'Crone, to call upon for assistance.

It appears that John Campbell, Thomas Campbell, Simon Cardwell and John Ashe, were present at Mrs. Campbell's, and active there; Henry Connor, David Cummins, William Hazleton, Thomas Erskine and William Irwin, from the county of Tyrone, were of the party, all armed.

That James Dunn, Hugh Donnelly, John Colton, George Erskine, ——— Fulton, ——— Hughes, William Kelly, and John Richardson and ——— Williamson (the deputies: their names may be not as taken, but from Captain Lloyd, Mr. Verner and Serjeant Crawford, there cannot be much difficulty in ascertaining the real persons), from the county of Tyrone, were with the party at the bridge.

That James Mill, John Cotton, Robert Crawford and William Foster (sworn to have been engaged in the outrage), David Fox, Alexander Morron, Joseph Fleming, James Delap, Robert Mill, Robert Mill, jun., and John O'Neill, of the county of Armagh, and dwelling in the adjoining townlands, were seen with arms on the road near Maghery that day.

That James Crawford, William Crawford, John Blair, James Innes (he appears to have come from curiosity, in company with Maguire, the witness), James Wyly, Charles Wilkinson, William M'Kittich, James M'Kittich, George Irwin and David Smith (he is stated by the person who identifies him to have done no damage), of the county of Armagh and of that neighbourhood, were seen upon the road at the time; but it is stated that many came from curiosity, and no act of violence or misconduct has been imputed to any of them.

That Serjeant Jackson, Christopher Clements, James Gardner, John Henderson, John Blevins and John Innes (he is stated to have pointed out houses for attack), of the county of Armagh and of that neighbourhood, were on the road, and they are stated to have been of the party, or countenancing or encouraging them.

It appears that several of those named were yeomen, but I did not ascertain them exactly.

I think that if more exertion and zeal had been evinced by the gentlemen connected with Maghery, and those resident in the neighbourhood of Verner's Bridge and Killyman, to search out persons that saw the party in its progress from Killyman to Maghery and on its return, many more of the rioters might have been ascertained; and I still think that by proper exertion yet many may be discovered; and it is most desirable that the perpetrators of so open and daring a violation of law may not be permitted to defy it with impunity.

Of the rioters on Saturday, and those who assaulted the Orangemen that day, Joseph Campbell only has been identified, but many of those who were beaten and ill-treated that day have not come forward to give evidence, possibly lest they might be implicated in Monday's affair, and some of the Maghery people may have kept back as to the latter, lest they might be shown to have been engaged on Saturday.

The notice of the 21st December may possibly have terrified some; the inhabitants expressed apprehension the day I passed through Maghery.

I have thus endeavoured to report the result of my inquiries, but the depositions of the witnesses and my notes of their evidence (returned herewith, and to which I beg to refer) show many matters deserving of attention that, to avoid tediousness, I have not noticed.

As further commanded, I now proceed respectfully to submit my opinion: That the persons who assembled in the county of Tyrone on Monday the 22d of November and proceeded to Maghery (including the two deputies), and those that joined them there or on the way, and who there committed or were party to or present, countenancing the attack upon

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upon the houses, have not only incurred the penalty of riot and committed a high misdemeanor, but have been guilty of felony, and are liable to prosecution, under the 23 & 24 Geo. 3. c. 20. s. 7., for having unlawfully, riotously and tumultuously assembled together, and unlawfully and with force demolished, or begun to demolish, set fire to, broke into or attempted to break into, those several dwelling-houses. Those of them who did not proceed to the village, and were not concerned in the attack, are notwithstanding chargeable with that riot and misdemeanor.

The individuals who fired at Mrs. Campbell's son; who wounded her; who pillaged the money and goods of her or others; who presented at Colonel Verner; who assaulted particular persons; and those who committed the offences at Megarry's house on their return; are (when identified) further respectively liable to prosecution for those offences.

Joseph Campbell and his abettors are chargeable with and liable to prosecution for the riot and assaults on Saturday, and the person who stabbed M'Kittick with the pitchfork then is liable to prosecution for that offence.

With respect to the inhabitants of that part of the county of Armagh that lies between Verner's Bridge and Crone's house, and who are stated to have been at Maghery, or upon the road near it, and with the party, though some may have gone from mere curiosity, yet as they continued near and during the outrage, and have not interfered to restrain, apprehend or discover any of the rioters, and as numbers on such occasions have the effect of countenancing and inflaming riots and tend to dismay the well-disposed, I think it incumbent on them to explain their conduct and show their intentions to have been innocent in going there. But I do not think that any one person ought to be committed for trial for any of the offences merely upon the depositions taken upon this inquiry, and without an investigation of his particular case in his own presence, or reading over the depositions which affect him, and giving him opportunity to explain or observe upon them, if he so desires.

See the Rev. Mr. Donaldson's deposition in favour of his own parishioners.

I am further of opinion, that Colonel Verner appears not to have performed his duty as a magistrate at Verner's Bridge, in order to disperse (as he was bound and required by law) the persons there tumultuously and unlawfully assembled, and compel them to depart to their habitations. That he did not take the measures and precautions proper for that purpose, which he was empowered and required by law to take, and which the result evinces to have been necessary for the preservation of the peace and the threatened breach thereof, and that he is liable to be prosecuted at suit of the Crown by information for such (as it seems to me) criminal neglect of his duty. I do not deem it within my province to observe on the non-exertion of Captain Lloyd and Lieutenant Boretree, or of Constable Crawford, not being, as I apprehend, the subject of legal cognizance.

12, Granby-row, January 18, 1831. *Louis Perrin.*

List of Witnesses Examined.

December 28.—Colonel Verner, Simon Boretree.

December 29.—David Duff, John Campbell, of Maghery, El. Campbell, Catherine Donelly, Sarah Campbell.

January 1.—John O'Neil, lighterman, Peter Campbell, Elizabeth Mullen, John Maguire, Sarah Megarry, Robert Crone, Francis M'Loughlin, Anne Mullers, Eleanor Campbell.

January 3.—John Christie, Benjamin Murray, William Crawford, Joseph Gallagher, Richard Wilson, William Wilson, John O'Neil, lieutenant, Edward Fox.

January 4.—Daniel Kilpatrick, Stewart Moneypenny, William M'Kitterick, William Fox, John Hughes, John Irwine, William W. Algeo, William Blacker, Patrick M'Connell, Joseph Campbell.

January 5.—Jackson Lloyd, David Donaldson, David Patton, Richard Dilworth.

8662. In that report Mr. Perrin speaks of his notes upon the evidence?—Yes.

8663. Do the Committee find any document containing his notes thereupon?—No; this is not the original document of Mr. Perrin; he took all the evidence on sheets of paper in the hand-writing of the clerk of Lurgan petty sessions, which I could identify at once, but this appears to be prepared for the Crown Counsel by the Crown Solicitor. It is most likely the original depositions are in the custody of the Clerk of the Crown for Armagh.

8664. Was there a prosecution against the Roman Catholics for outrages that took place on the Saturday?—There was; they were tried at the Armagh assizes for the riot there on the Saturday, and were found guilty and sentenced to three months' imprisonment.

8665. Was it not agreed that ten shillings—at the treaty, as you call it, that took place between Colonel Verner and this party—that ten shillings would have been a fair indemnity for the damage done?—It was so stated in the evidence.

8666. And for the outrage committed, which was estimated by the party—the injury sustained was estimated at ten shillings; for that four Catholics were prosecuted, convicted and sentenced to three months' imprisonment?—Yes.

8667. For the attack on the village by the Orangemen—the armed party of Orangemen—the destruction of property, the demolishing of windows and many of the doors, the robbery of money and of other property, and the burning of some of

of the houses, has there to this hour been the slightest punishment inflicted upon one of them?—There was a trial of some of the rioters.

8668. Was there the slightest punishment inflicted?—No; there was no conviction.

8669. There was a prosecution?—Yes; a number of prisoners were tried, John Campbell, John Cotton, James Hancock, William Farquar, Thomas Campbell, Alexander Cotton and James Neil; true bills were found against other persons, but they were not tried.

8670. Were they indicted for a riot?—Yes, and John Cotton was also indicted for an assault on Eleanor Campbell so as to endanger life; they were all acquitted.

8671. Were the bills sent up according to the advice of Mr. Serjeant Perrin?—I presume the bills were sent up in consequence of that report; I believe Colonel Verner and Colonel Blacker were the magistrates to whom the depositions were sent to assist the Crown prosecutions.

8672. Do you mean the prosecutions of the people of Maghery?—Yes.

8673. By the Orangemen?—Yes, and the prosecution of the Orangemen.

8674. After that report of Serjeant Perrin?—Yes, certainly after that report.

8675. Condemning the conduct of Colonel Verner, himself and the magistracy, and the gentry and the whole county?—Yes.

8676. Is it usual for the Crown to refer the depositions to the magistrates in the neighbourhood?—It is not usual.

8677. How did it come to your knowledge that this course was adopted?—I think from the Hon. Henry Caulfield, the brother to Lord Charlemont.

8678. Did he state how he obtained the information?—I think I had a communication myself about it, but I do not recollect; but Mr. Caulfield stated to me distinctly—what calls it to my recollection is, that the Government were anxious afterwards, at the subsequent assizes, to proceed against others of the Orangemen; and when I had a letter from the Crown Solicitor on the subject, I went to Mr. Caulfield, and we both agreed that the course taken at the former trials had been so extraordinary, that Colonel Verner had given such strong evidence upon the trial of the Orangemen, that it was totally hopeless to proceed with the prosecution against any of the Orangemen with any chance of a conviction.

8679. Was he a witness?—He was the first witness called and examined on behalf of the Crown, at the prosecution of the Orangemen, for the riot at Maghery on the 22d November.

8680. Did he identify any of them as being present at the outrage?—No, he did not. I have a note of the evidence of Colonel Verner at that trial; the parties were John Campbell and the others.

8681. Where did you take that?—I took notes of the trial; I paid great attention to the whole of the case, thinking it a very important trial for the peace of the district and the country.

8682. Were those notes taken by yourself?—Yes, they were.

8683. You attended at that trial?—Yes.

8684. You took notes of the evidence?—Yes.

8685. Are those the notes you took at the time?—Yes, they are.

8686. You are at liberty to refresh your recollection by reference to the notes, but you must not put them in as evidence. Colonel Verner was the first witness produced on the part of the Crown?—Yes, he was the first witness produced on behalf of the Crown.

8687. Have you any other authority than your confidential communication with the Honourable Mr. Caulfield that Colonels Verner and Blacker were the two magistrates to whom the informations were forwarded by the Crown for the institution of prosecutions?—I think I had it from the Crown Solicitor; I did not interfere or take any steps when I found in whose hands the prosecution was put. I think I explained to the Crown Solicitor I thought some of the parties ought to have been prosecuted themselves, instead of conducting a prosecution against others.

8688. Were you not applied to to take a part with Colonels Verner and Blacker in arranging this prosecution?—No, there was no communication made to me that I recollect.

8689. The evidence was not referred to the magistrates of that neighbourhood together, but especially to Colonels Verner and Blacker?—The informations and depositions were sent to Colonels Blacker and Verner.

8690. That you understood from the Crown Solicitor yourself?—Yes, from communications

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communications with the Crown Solicitor, and certainly with the Honourable Mr. Caulfield.

8691. Who was the Crown Solicitor?—Maxwell Hamilton, Esq., or his father; I am not sure which.

8692. Who was the leading conductor, or the leading lawyer, on the part of the Crown?—Sir Thomas Staples.

8693. When you saw Colonel Verner intrusted in a great measure with the prosecution on this occasion, and having, as you stated before, no confidence in the management of the case by him under the circumstances in which he was placed as to these Orangemen, you declined having any thing to do with it?—I am certain I gave the Crown Solicitor every assistance in my power, by stating every thing I knew; but I declined to co-operate with Colonel Verner, for the reason that I was quite certain it could not be satisfactory to the people to see such a proceeding.

8694. What was the feeling of the people, the Catholic people of the county Armagh?—They had no confidence in the proceedings at all; they said it was a mockery of justice, and openly expressed themselves to that effect.

8695. For what reasons?—Because the Catholics were found guilty for the riot on the Saturday, and the Orangemen were acquitted for the outrage on the Monday; and the first witness produced against the Orangemen was Colonel Verner.

8696. The first witness against the Orangemen you say was Colonel Verner?—Yes, he was; and when they saw Colonel Verner put on the table as a witness, they said it was a mockery of justice.

8697. Because he had assisted in wrecking Maghery, was that it?—Yes, Colonel Verner could identify none of the prisoners in the dock, and he turned round and stated to the jury he did not see any one of them in the dock committing any outrage on that day, nor does he think they were there; he is certain they were not.

8698. Give briefly and shortly what occurred?—He identified none of the prisoners, and could not even identify the man who had the cap on; and thinks he did not see any of them committing outrage on that day, nor does he think they were there; is certain they were not; John Cotton is not the man who had the cap on.

8699. Was he one of the persons in the dock?—He was; the man with the cap on was nearly twice as big, and quite a different description of person.

8700. He could not identify any one of the prisoners in the dock?—None.

8701. There was a verdict of acquittal?—Yes.

8702. Were there many witnesses examined on the part of the Crown?—Colonel Verner was the first witness, Captain Lloyd was the second.

8703. Is Captain Lloyd, the second witness, the Captain of the yeomanry corps represented in that report of Mr. Perrin as accompanying them from the village of Maghery after the wrecking of it?—Yes, he is; he did not identify any of the prisoners. The third witness was John Neale.

8704. Who is he?—A boatman who was on board a lighter on the canal. The fourth witness was John Maguire, the fifth Sarah Megarry.

8705. Could they identify any of the prisoners?—Yes, they were all identified by the witnesses.

8706. As committing the outrage?—Yes.

8707. By whom were they identified?—John Maguire identified John Campbell, saw him break a window of widow Campbell, he had a bayonet on a pole; he also identified Thomas Campbell as breaking the windows of widow Campbell; and he swore against Simon Cardwell and John Ash, but they were not on their trials.

8708. He only identified two of the prisoners then present?—That was all. John Maguire identified James Neil, James Hancock, John Campbell and Cotton.

8709. It terminated in the acquittal of these men?—Yes.

8710. You stated the Catholic people were very much surprised on seeing Colonel Verner brought forward as a witness on that occasion?—Yes.

8711. They thought, and they said he was the wrecker of Maghery?—They did.

8712. Did they think he might have prevented the wrecking of Maghery if he had thought proper, and exerted himself with energy?—That was their impression, and they always stated it was the Colonel they blamed and no other person.

8713. What is the amount of Colonel Verner's corps of yeomanry?—I think about 100, I do not know exactly.

8714. His evidence was, (which Serjeant Perrin reports) that there were 25 guns among them, he has taken the report of Colonel Verner in that report?—Yes,

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the Rev. Mr. Donaldson states, that 47 guns passed Crone's house, but in this number were some of Colonel Verner's yeomanry.

8715. How many yeomen might he have assembled in a short time with a little exertion?—I have heard Mr. O'Neill, the lieutenant of yeomanry state, that if Colonel Verner hoists his flag on the hill, he might have assembled 100 yeomen, some steady men; his corps were assembled under charge of Mr. O'Neill on that day.

8716. Within what time might 40 men have been assembled with due exertion?—From the situation of the country, in about half an hour; he could also have had police from Dungannon and military from Charlemont, in time to have made prisoners.

8717. At what time did the armed men from Killyman and from that direction present themselves at the Gate, at Verner's Gate, and at the bridge where Colonel Verner swore they declared that they were going to take revenge on the people of Maghery for the outrages received on the Saturday before?—Before breakfast.

8718. About what hour?—I do not know indeed.

8719. What is the distance from Verner's Bridge to the town of Maghery?—About two miles.

8720. How long did the wrecking of Maghery last?—I think all the party that returned were over the bridge before two o'clock.

8721. That is, they went from Verner's Bridge?—I could read over the evidence and tell you, I can take it from Colonel Verner's evidence, who states, that on Monday morning, between the hours of eight and nine o'clock, the party came to the bridge.

8722. It appears from a copy of the informations taken before the magistrates by Colonel Verner, that between eight and nine o'clock a party came to Verner's Bridge?—Yes.

8723. Does it appear from that at what time they returned?—I cannot find it at present.

8724. To this hour no one has suffered for that attack at Maghery?—Not one.

8725. Was there a large reward or a small reward offered for the apprehension of these men?—I think the Government offered a reward, but I am not sure.

8726. You do not recollect the amount?—No, I do not.

8727. Did any of the gentry of the country, indignant at this atrocious outrage on the village, offer any reward?—I do not recollect that there was any reward offered by the gentry.

8728. Do you think if a similar outrage had taken place on a number of Orangemen and their houses, they would have met and offered rewards to a large amount to discover the perpetrators?—I suppose so.

8729. Have you a doubt of it?—I have not a doubt of it.

8730. You have not been aware of any case where they have done so, where Orangemen have been attacked?—No.

8731. Have you recollection of a number of Orangemen's houses having been attacked in that manner at all at Armagh?—No party dare do it.

8732. Was there an application for a diminution of punishment on the part of the friends of the prisoners confined, the Catholics?—There was application to Government, supported by Lord Charlemont.

8733. What was the result of the application?—The parties were discharged on a mitigation of the punishment.

8734. In 1830 there was an order issued by the magistrates of Armagh to the people who were well disposed, to prevent processions?—Yes, there was.

8735. Have you that address?—I have a copy of it.

8736. By how many magistrates is that signed?—By 27, I think.

8737. Put in that address?—

[*The Witness read the Paper, dated July 5, 1830.*]

To the peaceable and well-disposed Inhabitants of the County of Armagh.

We, the undersigned, magistrates of this county, being anxious to discourage, as far as in our power, all party processions or assemblies of the people; and having met to deliberate upon the best measures to be adopted for that purpose, are unanimously of opinion, that we may safely rely on the good sense and good dispositions of the great majority of the population not to countenance or join in the celebration of any day in any manner which may be construed, however erroneously, into the intention of giving offence to any person or persons whatever. We trust that after the melancholy results which have repeatedly arisen on such occasions, no person of respectability will be found so regardless of consequences

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as to incur the heavy responsibility which must attach to those who act in opposition to this recommendation; but should there be, contrary to our expectations, individuals so inconsiderate as to reject this advice, we most earnestly request that no opposition or molestation whatever by unauthorized persons shall be offered to their proceedings, but that all may rely upon our determination to put the law in force, should any infraction thereof unfortunately take place.

Gosford, Governor.	William Thornton, General.
A. I. Kelly, Sovereign.	Acheson St. George.
C. Brownlow.	William Reed.
Joseph Atkinson.	Joseph Greer.
William Loftie.	Curran Woodhouse.
Jonathan Seaver.	James Johnson.
William Verner.	Robert Harden.
Thomas Carter.	John Hardy.
James S. Blacker.	William Olpherts.
Henry Stuart.	William W. Algeo.
William John Hancock.	William Blacker.
G. R. Golding.	William Irwine.
Thomas K. Armstrong.	James M'Watty.
Thomas K. Evans.	

Armagh, 5th July 1830.

8738. It was signed by 27?—Yes; among the rest by Colonel Verner himself.

8739. Did that prevent the procession of the Orangemen taking place on the 12th of July?—No, by no means.

8740. The Orangemen could not be at all ignorant of the wish of the magistracy of the country?—Certainly not. It was posted throughout the whole county a week before the 12th of July, and every exertion was made to restrain Orangemen from having processions, but without any effect.

8741. In the year 1828 or 1829 did any riots take place in the town of Lurgan?—I stated so before.

8742. You did state in your former evidence that riots took place in 1828 and 1829?—I refer to the documents, which I suppose you have.

8743. Are these with respect to the yeomanry corps?—No, the riots that took place in 1828 and 1829; in my former evidence I stated there were official documents, letters from me to the Lord Chancellor and to Lord Anglesea, and a report from Major Hamilton in 1828; a letter also from me to Lord Francis Gower in 1829, with the report of Major D'Arcy upon it.

Vide Appendix.

[*The Report and Correspondence of Major Skiffington Hamilton, relative to the Riots in* 1828, *with the Answers to the Letters, were put in.*]

8744. Is there any thing further you wish to state?—Yes, with regard to the yeomanry corps.

8745. You were appointed captain to the Lurgan yeomanry corps?—I was.

8746. How was that yeomanry composed?—There were a number of the tenants of Mr. Brownlow, and a number of persons not living in the county of Armagh, members of the corps.

8747. Of what religious persuasions were they?—Protestants.

8748. Were they Orangemen?—Yes, I believe so.

8749. All Orangemen?—I think so, from the oath they were obliged to take.

8750. To take as yeomen?—Yes. I am not an Orangeman myself. This is the orderly book of the yeomanry corps, and here is the oath prescribed to be taken in 1809.

8751. That is, by the Lurgan yeomanry?—Yes.

8752. Just give in the oath?—"Standing Orders and Regulations of the Lurgan Yeomanry, 9th March 1809. Every officer, non-commissioned officer and private, on being admitted a member of the corps, to take the following oath:—I do sincerely promise and swear that I will be faithful and bear true allegiance to his Majesty King George the Third, and that I will faithfully support and maintain the laws and constitution of these kingdoms, and the succession to the throne in his Majesty's illustrious House; and I furthermore do swear that I never was nor ever will be an United Irishman, nor ever took the oath of secresy to that or any other treasonable society, and that I will use every means in my power to discover and bring to punishment all persons who would subvert our constitution and religion as established amongst us by the great King William. So help me GOD."

8753. From what book is it extracted?—The original orderly book, commencing in the year 1796, and preserved by the officers of the corps.

8754. Was

8754. Was that oath taken down to the time you had got the command of the corps?—It was.

8755. Did you find any thing objectionable in that oath, or have any grounds for recommending an alteration?—I did, but by the General Orders of 1823 no vacancies could be filled up. I give the order:—"Vacancies occurring in yeomanry corps by death, resignation or otherwise, are not to be filled up, and the arms of such persons, as well as those who are in the habit of absenting themselves from inspections, are to be called in." I also will read an order to the Lurgan corps of 1818.

(Circular.)

Dundalk, 27 Sept. 1818.

ORDERS.—It is the Lord Lieutenant's Orders, that in all cases wherein vacancies occur owing to the death, resignation or other casualty of any members of corps whose establishment exceed one hundred rank and file, such vacancies are on no account to be filled up; and that in every instance wherein members absented themselves altogether from inspection, it is his Excellency's commands, that in all cases of this kind the arms, &c. &c. are to be collected and lodged in a place of security prior to their final transmission to the Ordnance Stores, reporting to me,

Alex^r Armstrong,
Col. Brigade-Major.

Officer commanding Lurgan Corps.

No case occurred till the yeomanry corps were ordered to be re-armed in 1831, until they were getting new arms; then new regulations were adopted, to which the majority of the corps assented; no oath was administered except that which was prescribed by Act of Parliament.

ORDERS, RULES and REGULATIONS for the LURGAN YEOMANRY, 1st March 1831.

That every officer, non-commissioned officer and private, on being admitted a member of the corps, shall take and subscribe the oath prescribed by the 42 Geo. 3. chap. 68, sect. 10, viz.:—

"I, ——— ———, do sincerely promise and swear, that I will be faithful and bear true allegiance to His Majesty King William the Fourth, and that I will faithfully support and maintain the laws and constitution of this kingdom, and the succession to the Throne in His Majesty's illustrious house. "So help me GOD."

8756. What is the difference between one oath and the other?—The one is to support the constitution as established by William the Third, an Orangeman's oath, and of course is an oath of exclusion, which would prevent any Catholic from joining any corps whose rules compelled its members to take such an oath.

8757. One is the usual oath of allegiance?—It is the oath of allegiance prescribed by Act of Parliament to be taken; it is the 42d of Geo. 3. c. 68.

8758. So, then, the oath administered to the Lurgan corps is in fact quite a different oath altogether from the oath of allegiance?—Yes, it was so formerly.

8759. Was a Catholic ever admitted into the Lurgan corps, to your knowledge?—Never, that I have any record of.

8760. Are there any Catholics in any yeomanry corps?—No, not in the county Armagh, that I ever heard of.

8761. Do you know any one in any of the yeomanry corps?—No.

8761*. They are all Orangemen?—Yes, I believe so.

8762. Are there a sufficient number of Catholics of that degree of property and station that could be admitted to yeomanry corps?—Yes; on Mr. Brownlow's estate there are some respectable men I should like to have joined a yeomanry corps.

8763. How are the yeomanry composed; are they respectable, or otherwise, the mass of them?—Some of them are respectable, the others are not; quite the contrary. I have been obliged to take the arms from some of my corps; John Caulfield was dismissed for posting notices that had a tendency to excite riot, and William M'Mullin for opposing the police in the execution of their duty, and John and Edward Harris were convicted of opposing a sheriff's officer in the execution of a decree, when arms were produced; those men were convicted at the quarter sessions, and afterwards dismissed.

8764. Suppose it were desirable to raise a corps of yeomanry, taken indiscriminately from the respectable part of the population, are there a sufficient number of Catholics of the same station and the same fitness to form a considerable portion of the corps?—Yes.

8765. And the class of which the yeomanry are constituted is not of that very high description that Catholics might not contribute to it?—No, indeed; there are

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a great many excellent Catholics very well conducted men, and perfectly fit to be enrolled in any yeomanry corps.

8766. You were never called upon as to your opinion of the propriety of calling out the yeomanry?—I was.

8767. Where?—At a meeting of the magistrates at Banbridge, in the county of Down, the latter end of the year 1830, Lord Dufferin was in the chair; it was to consider of the best mode by which the movements of the Tommy Downshire people should be controlled. Lord Dufferin, among other measures, recommended that an application should be made to the Lord Lieutenant to know how far magistrates could avail themselves of the services of the yeomanry; I made objections, and stated the yeomanry could not be depended on, and I gave my reasons at that time for stating so. I was afterwards called upon by the brigade-major to make a report on the state of the corps, which I did; in consequence, an investigation was held by Colonel Molyneux, who commanded the 67th regiment, and Brigade-Major Power, who came over to Lurgan for that purpose; and I beg to refer to his report to show the state of the corps. The Committee will be good enough to read Lord Dufferin's letter to the Government; they will see charge—

See Appendix.

8768. Put it in?—[*The Witness does so.*]

8770. What reasons led you, independent of your own local experience of the characters of your corps, and the party spirit that animated them?—I thought some of them had a great deal of feeling with the Tommy Downshire outrages.

8771. Who were they?—They were men who wished for half rent and no tithe.

8772. That gives the correspondence on the subject?—Yes, *pro* and *con.*

8773. Were there any other reasons that struck you that the yeomanry were not so much to be confided in, any acts of insubordination on their part?—There have been many; but not in my own particular corps lately, since they compelled Lieutenant Hall to resign his commission.

8774. But in other corps?—I have heard of it in other corps.

See Appendix.

8775. There is a report of Lord Bandon to the Lord Lieutenant, on the 1st of July 1809; are you aware of that report?—I have heard of that among others. The Armagh yeomanry refused to act with their officer, Lieutenant Barnes.

8776. Are there any other cases?—Yes.

8777. Was the Ban case given?—Yes. I stated before that the Scarva yeomanry had six Catholics, and that the Ban infantry refused to be inspected with them; and that Captain John Lushington Rieley's troop of cavalry behaved ill on the occasion, and I referred to Major Wallace's report of 1810.

See Appendix.

8778. The document you refer to is the report of Major Wallace respecting the Warrington cavalry and Ban infantry?—Yes.

8779. Do you recollect any other case?—I do not; and I refer to the report of Colonel Molyneux for the investigation of the statement made by me to the magistrates at Banbridge, and reported to Government by Lord Dufferin.

See Appendix.

8780. Have you any account of that?—I see the official documents on your table, Colonel Molyneux's report, which justifies my opinion of the non-efficiency of the yeomanry force to repress such disturbances as then existed in the county Down.

REPORT of the Honourable *H. B. Molyneux.*

Sir, Newry, June 19, 1831.

IN transmitting to you the enclosed minutes of the investigation I yesterday held at Lurgan, and other papers alluded to therein, I have to submit the following observations for the consideration of the Lieutenant-General commanding. I found it impossible to receive the necessary information, and state it in any regular continued form of evidence, and therefore have only put down such statements, applicable to the circumstances stated in Mr. Hancock's letter, as could be collected from the individuals, as they came out in a difficult examination.

With reference to the first statement of his want of proper dependence on the corps in the event of their being called out to the Shane's Hill meetings, it appears from the evidence of the officers and two serjeants, that he was perfectly justified in not feeling that confidence that ought to exist.

With respect to the muster-roll handed to Mr. Hancock by the permanent serjeant, it appears such a one as he had been in the habit of keeping; but he does not pretend to vouch for the correctness of it.

With respect to the orderly book (which was produced) it was stated to have been generally kept in the hands of Serjeant Dugan, who appears to have kept it very neatly, as a kind of hobby; but Serjeant Douglass never paid any attention to it by his own acknowledgment.

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With regard to the circumstances contained in Mr. Hancock's letter of the 1st June 1828, it was impossible to come to any proper understanding on the subject, as in that, as well as in the other cases, the serjeant appears to have acted sometimes on his own responsibility, sometimes by the orders of the brigade-major, and by the instigation of many different people at other times, he appears to have considered himself authorized to act at his own discretion, and was not under the immediate command of any commanding officer.

With respect to the muster-rolls and pay-lists of the permanent serjeant, the evidence of the drummer's affidavit and his own acknowledgment will prove their incorrectness. The case of Hugh Conolly is explained in the minutes: he appears a foolish, stubborn sort of fellow, and it is very probable that he had not been at the parades in time to qualify himself for the pay; but the serjeant does not pretend to know, and is to pay him the remaining two days.

With regard to the names of Morgan and Hamilton, there is no means of ascertaining to what extent this species of false muster has been carried.

Neither does he deny that the arms have been transferred from one to another, even without his knowledge. One man was produced, who stated he had been four years in the corps without ever having a fire-lock.

The case of M'Mullen is sufficiently substantiated in the affidavit of C. Hall.

From what I have collected from different statements and documents, and from what I have seen of permanent Serjeant Douglass, I am of opinion that he is a very unfit person to hold his present situation. I should not say he has been doing these things with any fraudulent intention; but he has been acting, for a number of years, without any responsibility, being totally ignorant of all Yeomanry Acts of Parliament or regulations, and having no books or vouchers to show of any kind. He appears generally to have neglected the detail of his duty, delegating his authority to other serjeants in many instances, and at other times acting in the most irregular and irresponsible manner, without consulting any officer of the corps. He professes himself to be very unwilling to obey the orders of Mr. Hancock: but he appears an independent wilful old fellow, and from his length of service and manner (I have every reason to suspect connected with the idea, I believe generally entertained by the violent Orangemen in the neighbourhood, that Mr. Hancock is little better than a rebel), would be disposed to consider Mr. Hancock more as an intruder than a leader under whom he would serve with zeal.

I was told confidently by a person who was not examined on the business, that the men of the Lurgan corps was as well disposed a corps as any other, but that they would not obey a rebel as they would those whose loyalty they depended on. Whatever their disposition may be, a corps organized on such an irregular footing could not be depended on by any one, rebel or Orangeman. In my opinion, Mr. Hancock seems to be very anxious to have an effective corps, and he states that he could, on the estate of Mr. Brownlow, have a most efficient one in every respect.

He states that he would not, at this moment, admit Catholics; but he personally should have equal dependence on Catholics and Protestants on Mr. Brownlow's estates, of which he conceives he has unlimited influence; and as a proof, he states that about one-third are Catholics, and that on the tribute Sunday not one farthing was subscribed by a tenant on that estate. Indeed I believe that were all property managed with the spirit, judgment and activity that he exercises, Tommy Downshire would not exist, and O'Connell might agitate in vain. Mr. Hancock has thus apparently efficient officers in his corps, two of whom are Orangemen, which proves that he is not distrusted even by some of them.

There appears little more to be said on the subject of this investigation, the result of which is, in my opinion, that the corps has been conducted in a most improper manner; that Mr. Hancock is anxious, and has the power of raising a more efficient one; and that he will not be enabled to do so without this old serjeant, who would not probably do his duty properly without difficulty, were removed.

I have, &c.
(signed) *H. B. Molyneux*,
Lieut.-Col. commanding 67th Regiment.

8781. What is that you are holding in your hand?—The order of the 5th of July 1831, to prevent the yeomanry marching "in any way" or "in any garb" in Orange processions:

Sir, Antrim, 5th July 1831.

I BEG leave to call your most earnest and particular attention to the following letter, and to request that your best exertions may be used to carry into effect the commands of the Lord Lieutenant.

I have, &c.
(signed) *B. Power*,
Officer commanding Lurgan Yeomanry. Major of Brigade.

Sir, Dublin Castle, 4th July 1831.

IT being particularly desirable that every means should be used, with the view of giving full effect to the instructions heretofore conveyed to the members of the yeomanry, prohibiting their assembly on the 12th of July for inspection, or for the purpose of joining in processions, or playing party tunes, the Lord Lieutenant has directed me to signify his special desire, that the necessary measures may be forthwith adopted by you, on communication

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munication with the officers commanding the several corps of yeomanry in your district, in prohibiting the members under their command from appearing or co-operating *in any way*, or *in any garb*, in the expected processions of Orangemen, on the ensuing 12th of this month. His Excellency further desires me to express his full expectation that you will not fail to report to Government any deviation from these orders, so as the most serious notice may be taken of such conduct on the part of the yeomanry, which must so materially tend to disturb the public tranquillity. You are requested to acknowledge the receipt of this communication, and at the same time to report the proceedings adopted by you thereupon.

I have, &c.

Brigade-Major Power. *William Gosset.*

That was read by my permanent serjeant to each member of the corps.

8782. Was that entire district under the control of Major Power?—Yes.

8783. What is the extent of that district?—The province of Ulster.

8784. What gave rise to the necessity on the part of Government for issuing that order?—There had been orders against the yeomanry appearing in arms. It was supposed if a yeoman did not appear with his regimentals or arms, that he was obeying the order as a private individual, he was privileged to join Orange processions; but when he put on his red coat, he was to abstain from processions. Notwithstanding that order of the 5th, many of the corps thought proper to disobey, and they were dismissed by order of Government.

8785. These orders were perfectly understood?—They were; and notwithstanding fifteen of the yeomen walked in procession, and I reported them by my letter of the 13th of July, I could not get over the order, though many of the corps did. I therefore made the communication to Government, and they were dismissed.

Sir, Lurgan, 13th July 1831.

I HAD the honour of receiving your circular of the 5th instant, enclosing a circular from Lieut.-Col. Gosset, conveying his Excellency the Lord Lieutenant's orders, "prohibiting the members of the yeomanry corps from appearing or co-operating 'in any way,' or 'in any garb,' in the expected processions of Orangemen on the 12th of this month.

I had his Excellency's orders immediately communicated to every member of the corps under my command. By far the greatest number gave up all idea of marching or taking any part in the processions. I am sorry to say, however, a number, whose names are at foot, disobeyed the orders, by publicly marching to Portadown and back again, in processions, decorated with Orange sashes and Orange hat-bands.

I am sorry to be obliged to report them; but in justice to the members of the corps who so willingly obeyed his Excellency's commands, I cannot refrain from returning their names.

I have, &c.

Wm. John Hancock,

Brigade-Major Power, &c. &c. Captain Lurgan Yeomanry.

The names of members of the Lurgan yeomanry who appeared in processions of Orangemen, 12 July 1831:

Serjeant James Turkington,	Private Marsden,
Private Allen, of Drumnakelly,	„ Millar,
„ Barras, Thomas,	Drummer Nesbit,
„ Corner, Henry,	Private Nesbit, William,
„ Gaddis, Andrew,	„ M'Neile,
„ Turkington, Samuel,	„ Osborne,
„ Hill,	„ Smart.

Sir, Dublin Castle, July 20, 1831.

Brigade-Major Power having forwarded to Government your letter of the 13th inst. reporting that certain members of the Lurgan yeomanry, under your command, had, in disobedience of the orders of the Lord Lieutenant communicated to them, joined in an Orange procession on the 13th instant, I have it in command from his Excellency to acquaint you, that this act of insubordination demands the strongest reprehension of Government; and in order to mark its disapprobation of such improper and irregular conduct on the part of the yeomen concerned (whose names are annexed), it is his Excellency's pleasure that the individuals in question be and are hereby removed from the yeomanry service; and that you will accordingly announce this decision to them without delay.

I have, &c.

To Captain Hancock, Lurgan Yeomanry. (signed) *W. Gosset.*

[Names of yeomanry referred to in the foregoing letter—*as above.*]

8786. Did your corps receive the new arms issued to the corps, generally speaking, in Ireland in 1831?—They did.

8787. Did

8787. Did they get into their own possession, or were they stored?—No; I kept them in store.

8788. What was the cause of that?—In consequence of Colonel Molyneux's report I got the permanent serjeant dismissed for improper conduct; I got a new permanent serjeant appointed, and Government stated the arms should remain in store; but I shall read the letter.

[*The Witness reads this Letter.*]

Sir, Dublin Castle, 24th October 1831.

I HAVE the honour to acquaint you, that prior to the receipt of your letter of the 19th inst., the proposed appointment of John Moore to be permanent serjeant of the Lurgan yeomanry, in the room of Harshaw resigned, was sanctioned by the Lord Lieutenant and notified to the brigade major of the district on the 22d inst., by whom your recommendation and its accompanying certificates of eligibility was forwarded to Government.

The arms of the corps are to remain in store, as at present, under the charge of Permanent Serjeant Moore, who will take care that they are kept in good order.

I have, &c.

To Captain Hancock, Lurgan Yeomanry. *W. Gosset.*

This was a letter of the 24th of October to me from Sir William Gosset; the arms are directed to remain in store under the care of the permanent serjeant.

8789. Have you found the country since those arms have been stored, more or less tranquil than before, when the yeomanry were in possession of them?—Perfectly tranquil, except on the 12th of July and 5th November.

8790. And at Lurgan?—Yes; and all about it.

8791. Have you adopted any particular plan to secure the tranquillity of that part of the country?—In 1830, at the time Tommy Downshire was agitating the county Down, as seneschal of the manor of Brownlowsderry, I assembled a court leet, and two constables were appointed to each townland; in making the selection, wherever it was possible, I got a Protestant and a Catholic, sometimes an Orangeman and a Catholic, appointed constables; I found this plan contribute much to the peace of the district. I got a book printed, entitled "The Powers and Duties of Constables in cases of Felony and actual Breaches of the Peace," similar to the one distributed to the constabulary police; I found the plan to work well, tending much to the peace and harmony of the country.

8792. Is that a considerable district over which you have control?—Yes, pretty considerable.

8793. As the agent to Mr. Brownlow, and as a magistrate combining the influence belonging to both situations, have you in adopting that course found it productive of great advantage?—I have found it highly beneficial.

8794. What will be the reports of the petty sessions and the general quarter sessions and also the assizes, with regard to the peace of the district and that part of the country, compared with the rest of the county?—A great diminution of offences. At the assizes in April from the July previously, that is, the summer assizes of 1834 to spring of 1836, I had only occasion to return one information (for stealing a coat) from a district containing a population of 13,000 inhabitants, and only five of the constabulary police are required; they receive very great assistance and aid from the townland constables when called on, and in all party cases; my strict instructions are to the Protestant part of the constables to interfere only with Protestants, and wish the Catholic constables to interfere with the Catholics, and when they find a man of a different religious persuasion, to report it to his constable.

8795. So as to make the influence more likely to succeed?—Yes; and in July 1831, a party of the Orangemen chose to march through a townland solely inhabited by Catholics, and the constables on each side collected, the Orange constables beat back their party, and kept the parties separate from fighting.

8796. So that you think, for the preservation of the public peace, by persons both Catholics and Protestants, in whom Government may think proper to confide, and with whom they may think proper to intrust their arms, it is the most likely mode of securing the peace of the country, instead of having persons of strong opinions, religious and political, banded in different ranks and hostile array?—Yes, most certainly.

8797. Do not you think it is easy to be done if fairly and honestly the attempt is made?—Yes; I do think it is perfectly practicable if the magistrates will lend their assistance.

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8798. If party prejudices were laid aside and men of religion united, no matter what their religion were, provided they were men of substance and character?—No doubt it might be carried into full effect.

8799. Do you know of any occasion within your recollection where the yeomanry have been of use in preserving and maintaining the public peace of the country?—I have not.

8800. Has any robbery of arms taken place since the winter of 1831?—Yes; in the barony of Oneeland West, in Armagh. The Orangemen in that district consider the Catholics have no right to have arms; several robberies have taken place; there were three robberies took place on Mr. Brownlow's estate, one at the house of a man of the name of Lavery, and another at the house of a man of the name of M'Kowen; only one man was tried; he was acquitted on the grounds that M'Kowen's wife had only the opportunity of seeing him by rushlight. Another case was an attack on a man's house of the name of Durkin, and I beg to refer to the official reports of the chief constable Patten; in that case Joseph Laverty was shot.

8801. There is a letter of David Patten of the 6th of December 1831; do you allude to that letter?—Yes.

[*The Witness reads the Letter of the 6th December* 1831.]

Sir, Portadown, 6th December 1831.

I AM sorry to have to report that between the hours of six and seven o'clock yesterday evening an armed party attacked the dwelling-house of James Mackill, a Roman Catholic, of the townland of Derrinraw, within five miles of Portadown in this district, in search of fire-arms, and after having smashed the doors and windows, a gun was handed out to them which they took away. The party proceeded afterwards to the house of John Durkin, of Derrycarrib in the same neighbourhood, where they also demanded arms, which having been refused, they smashed the windows and door, and after having forced an entrance they were fired upon by Durkin, who killed one of the party (and whose body was found in a field convenient to the house this morning); the remainder of the robbers immediately made off, leaving behind them a gun and bayonet.

The above information I only received at 11 o'clock this morning, and I am now about to proceed to the place where this outrage took place; but as I do not expect to return until after the departure of the Dublin Mail, I feel it to be my duty to report, without a moment's delay, that which has already come to my knowledge, and by to-morrow's post I shall have the honour to report fully all the particulars for your information.

I have, &c.

Colonel Gossett. (signed) *David Patton*,
Chief Constable.

8802. Then there is a second letter?—Yes.

[*The Witness reads another Letter, dated 7th December* 1831.]

Sir, Portadown, 7th December 1831.

WITH reference to the letter I had the honour to address to you, of yesterday's date, reporting that a person had been shot in this district while in the act of attacking a dwelling-house for fire-arms, I now beg leave to state, as fully as possible, all the particulars of this outrage, and also the result of an investigation by two magistrates.

Immediately on hearing of the outrage in question, I communicated with Mr. Woodhouse, a justice of the peace, who, with Mr. Hill, another justice, and myself and a party of police, repaired forthwith to the place, where the above magistrates commenced an investigation, and also held an inquest on the body of a young man apparently about 19 years of age, lying dead, then unknown, and who it appeared, on examination of the corpse, had received a gun-shot wound in the left temple which occasioned his death. During the investigation it was ascertained that the name of the deceased was Joseph Laverty, who had been employed as a labouring servant about the country, and also, on the preceding day, was in the service, as a hired day labourer, of William Martin, a small farmer in the next townland, and whose employment he left in the evening of the 5th instant, and did not afterwards return. But the magistrates, with all their exertions, were unable to discover any of the companions of the deceased at the time he met with his death.

The statement I had the honour to make by yesterday's post, I found on going to the place to be quite correct, namely, that the party (supposed to consist of 10 or 12 persons) first attacked the dwelling-house of James Mackell, of Derrinraw, where they broke the windows and door and took away a gun; they afterwards proceeded to the house of John Durkin, of the townland of Derrycarrib, where they also demanded arms, and not having an answer, they broke the door with stones, and when in the act of entering the house they were fired upon by Durkin, who shot Joseph Laverty dead, and who was dragged a short distance from the house where he was found the next morning; the party in their flight left behind them an old gun and two bayonets.

With reference to the foregoing, I beg leave to observe, that that part of the country has always been as much agitated, and the people as much divided by party spirit,

as

as any other district in the province of Ulster; and there appears to be an opinion and a feeling amongst the country people that Roman Catholics are not entitled to keep arms, and that those who have them should be deprived of them, and to this notion I attribute the late outrage and other attempts of a similar kind which have occurred from time to time in this district.

In consequence of the alarm in the minds of the people, and apprehension of a collision, I left a strong police party to patrole in the neighbourhood, which did not return until the body was interred, and I have written to Major D'Arcy to say that I shall continue the patrol from the several police stations until further orders; and I beg leave to add, that my most strenuous exertions (so far as my duty goes) shall be used to prevent outrage and preserve the peace of this district.

I have, &c.
(signed) *David Patton*,
Chief Constable.

Coroner's Verdict.—That the deceased, Joseph Laverty, came by his death in consequence of a gun-shot wound inflicted by John Durkin, in defence of his life and property.

(signed) *David Patton*,
Chief Constable.

8803. You found the notion prevalent among the Orangemen, as there mentioned by Mr. Patten, that the Catholics had no right to have arms?—I did.

8804. And it was thought a very venial offence to take them from them?—They did not consider it any offence; there was a warrant against Laverty issued by me for stealing a gun out of the house of Thomas M'Cann.

8805. Was that a Roman Catholic also?—Yes; he came across the Ban in a boat, and there was a warrant out against him when he was shot.

8806. Do not you find a notion among the Orangemen of their great superiority over the Catholics?—Certainly.

8807. They look upon them as inferior beings altogether, do they not?—Yes.

8808. They cannot be loyal, and have no right to arms?—Yes; I never make a difference in registering arms, either of Catholics or Protestants, on Mr. Brownlow's estate; whenever the man has property to defend, I let him have arms.

8809. Is that the only question you ask yourself?—Yes, and if he is a proper and well-conducted man.

8810. In whose custody the arms may be safely allowed to remain?—Yes.

8811. To be used for the preservation of the public peace, or of his own property?—Yes.

8812. You have been acquainted with the north of Ireland a long time?—All my life.

8813. During the time you have been acquainted with the north of Ireland, has the property and the respectability of the Catholic population been on the increase or diminishing?—It has been increasing very much.

8814. The town of Belfast you are acquainted with, are you not?—Yes.

8815. Have you heard, or do you know, at one period when there was scarcely a Catholic in the town?—No.

8816. Are they now very wealthy?—Yes, some wealthy Catholics live in Belfast.

8817. Are they large and extensive merchants and proprietors?—Yes.

8818. Did any processions take place in Lurgan in 1833?—Yes, there were.

8819. How many attended there?—Not great numbers.

8820. Did you, previously to the 12th, take all the pains in your power to prevent their committing this violation of the law?—Yes; on the 1st of July, a number of boys got a drum to beat through the town; I went out and warned them, and cautioned them, and had them summoned to the next petty sessions, to show the impropriety of their conduct; and at the petty sessions before the 12th they pleaded ignorance of the law. I read the Act of Parliament to a very crowded court-house, stating what the offences were under the statute, and I expected that would have been sufficient. However, notwithstanding, processions took place.

8821. They came into the town of Lurgan?—Yes; here are the informations of the police constables; it is the most satisfactory way of stating them.

[*The Informations of the Constables put in.*]

COPIES of INFORMATIONS taken at Lurgan, 12 and 13 July 1833.

Counties of Armagh and Down, to wit. } The informations of John Steele, constable of police, of Lurgan, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for said counties, saith, That on the evening of Monday, 1st July instant, some drums and fifes, accompanied by a number of persons,

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persons, came into the town of Lurgan; that he was called upon by the said justice, who gave him a warrant to authorize him to ascertain the names of the party, and that if any refused to tell their names, to bring them before the said justice that they might be further dealt with: Saith, that on proceeding to execute said warrant, a riot ensued immediately, on which the said justice came to the assistance of the police, and the party shortly after dispersed: Saith, that summonses were issued and served on such of the party as were identified to appear at the next petty sessions for the district, in Lurgan, on Friday, 5th July: Saith, that on the case being called on, the only magistrate present was William John Hancock, Esq., who stated that the only object in issuing the summonses was for the purpose of declaring to the people the law on the subject; and the said justice proceeded and read distinctly and audibly the statute against party processions, 2 & 3 Will. 4, c. 118: Saith, that on this morning (the 12th of July), a number of shots were fired and the church bell was rung, both of which continue until this hour (one o'clock): Saith, that about half-past ten o'clock, he saw a procession of men wearing Orange badges and colours, having with them a number of flags, and preceded by a drum and fife, and marching in regular order, two men deep, through the principal street of the town of Lurgan; amongst the persons so marching were Edward Johnston, of Lurgan, who had on his person a large Orange sash, and was walking with another man; saw also John Douglass, of Dougher, William Hill, of Lurgan, and several other persons whose names he does not know, but whose persons are quite familiar to him, in the procession, which consisted of about 150 persons, and having about 10 flags with them. Informant saith, that he has no doubt on his mind that the said procession and party were calculated to create animosity in the minds of His Majesty's subjects of different religious persuasions.

Informant bound in the sum of 20 *l.* to attend at the next Assizes at Armagh.

John Steele, Constable of Police.

Taken, sworn and acknowledged before me, at Lurgan, this 12th day of July 1833,

Will. John Hancock.

Counties of Armagh and Down, to wit. } The informations of William Cowan, sub-constable of police, of Lurgan, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for the said counties, saith, That he has heard the informations of constable Steele read, and that the contents thereof are true; that in addition to those persons identified by him, informant also saw one John Lacy, of Lurgan, carrying a flag; also William Anderson, of Ballymacateer, in the county of Down, who had an Orange sash upon his person, and Orange ribands on his hat; also Henry Lappen, of Lurgan, who had on a red sash; also Robert Douglass, of Dougher; informant also saw several other persons whose faces are quite familiar to him, but whose names he does not know, walking in the procession.

Informant bound in the sum of 20 *l.* to attend at the next Armagh Assizes.

William Cowan.

Taken, sworn and acknowledged before me, the 12th July 1833,

Will. John Hancock.

The said William Cowan being further examined on his oath, at the hour of eight o'clock in the evening of the said 12th July, saith, That on the return of the procession to Lurgan, about the hour of five o'clock in the afternoon, he saw one Edward Johnston, of Lurgan, John Douglass, of Dougher, William Hill, William Anderson, John Tacy and Robert Douglass; and in addition he saw Thomas West and Thomas Thomson, both of Lurgan, in the procession; likewise he saw William Nesbitt, who was beating a drum, and also saw James Morrison beating a drum, and who had been cautioned by the magistrate, on the 5th July, for beating a drum on the 1st July, in Lurgan.

William Cowan.

Taken, sworn and acknowledged before me, this 12th July 1833,

Will. John Hancock.

Counties of Armagh and Down, to wit. } The informations of Hugh Mealy, sub-constable of police, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for the said counties, saith, That he has heard the informations of constable John Steele read, and they are true. Informant, in addition to those persons identified by him, also saw in the said procession one John M'Laughlin beating the big drum, one Robert Lynass playing a fife, saw John Tacy carrying a flag; the party when marching past the police barracks, were playing a party tune, commonly called "The Protestant Boys."

Informant bound in the sum of 20 *l.* to attend at the next Assizes at Armagh.

Hugh Mealy.

Taken, sworn and acknowledged before me, this 12th day of July 1833,

Will. John Hancock.

The said Hugh Mealy being further examined on his oath, saith, That on the return of the procession into Lurgan, about the hour of five o'clock in the afternoon, he saw Edward Johnston, John Douglass, William Hill, William Anderson, John Tacy, Robert Douglass; and

and in addition he saw Thomas West and Thomas Thomson, both of Lurgan, in the procession; likewise he saw William Nesbitt, who was beating a drum, and also saw James Morrison beating a drum, who had been cautioned by the magistrate, on the 6th July, for beating a drum, on the 1st July, in Lurgan.

Hugh Mealy.

Taken, sworn and acknowledged before me, this 12th July 1833,
Will. John Hancock.

Counties of Armagh and Down, to wit. } The informations of Michael Burke, sub-constable of police, of Lurgan, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for the said counties, saith, That he was on duty in the town of Lurgan, on Friday, 12th July instant, and saw the procession of Orangemen returning about the hour of five o'clock in the afternoon: saw walking in that procession, and wearing Orange symbols, the following persons, namely; John M'Laughlin, James Morrison and James Thomson, all of whom were beating drums, and the two latter had been beating drums on the 1st July, and were summoned to the petty sessions in Lurgan on the 5th of July, at which time the magistrate read the Act of Parliament declaring such processions to be illegal, and discharged the said James Thomson and James Morrison, cautioning them not to be guilty of the like conduct in future; he saw also Thomas Thomson and John Tacy, and several others whose names he does not know, walking in said procession, but whose persons he has no doubt he will be able to identify. Informant has no doubt that the party were playing party tunes, although he does not exactly know all the different tunes they were playing.

Informant bound in the sum of 20 *l.* to attend at the next Assizes at Armagh.

Michael Burke.

Taken, sworn and acknowledged before me, this 12th July 1833,
Will. John Hancock.

Counties of Armagh and Down, to wit. } The informations of Thomas Steele, sub-constable of police, of Lurgan, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for said counties, saith, That he was on duty in the town of Lurgan, on Friday 12th July instant: Saith, that he saw a procession of men decorated with Orange symbols, and preceded by a drum and fife, march through the said town on said day, between the hours of 10 and 11 o'clock; but from the position in which he was at that time, he could not identify any of the persons in the said procession: Saith, that the procession returned into Lurgan, about the hour of five o'clock in the afternoon of the same day, greatly increased in number, with additional flags and music, and that he saw walking in that procession the following persons, namely: Edward Johnson, John Douglass, William Hill, William Anderson, Thomas West, Thomas Thomson and James Morrison, who was beating a big drum, and all of whom had Orange symbols on their persons, and formed part of the aforesaid procession.

Informant bound in the sum of 20 *l.* to attend at the next Assizes at Armagh.

Thomas G. Steele.

Taken, sworn and acknowledged before me, this 13th day of July 1833,
Will. John Hancock.

I transmitted these informations to Government, and got orders from Government to have the parties made amenable to the laws. Here is a copy of the letter written on that occasion:

[*The Letter put in.*]

Sir,

I HAVE the honour to transmit for his Excellency's commands copies of informations taken this day before me.

There is no military force in this town, nor any extra police constables; the number of police stationed here is only five. I had thought that the proceedings detailed in the information of John Steele, constable of police, at the petty sessions on last Friday, would have been sufficient to prevent any procession or assemblage of Orangemen; I considered it would have been quite useless to have gone out to read the command or notice required by the statute; I have therefore taken the only other mode of proceeding, and got the identification of as many as may be necessary to try the question. I have not issued my warrant to hold the parties to bail, but I shall do so whenever I shall receive instructions from his Excellency the Lord Lieutenant. The assizes for the county of Armagh commence on this day week. Shall I have the parties charged held to bail for the assizes? Will you have the goodness to give me instructions how I am to proceed?

I have, &c.
W. J. Hancock.

Sir William Gosset.

Sir, Lurgan, 13 July 1833.

I HAD the honour of transmitting by yesterday's post copies of informations taken by me relative to the Orange processions; I now beg to send further informations relative to these processions,

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processions. The peace of the town and neighbourhood had remained quiet and steady; the market was very thinly attended by persons likely to offer any opposition.

This is, in a great degree, to be attributed to the exertions of the Roman Catholic clergymen; on the preceding Sunday, at their respective chapels, they used every means in their power to prevent the people of their congregations from attending the market, for fear of some collision arising between the parties.

You must be well aware that these informations cannot be taken in secrecy, and that great anxiety is felt generally to know how His Majesty's Government may be pleased to act. If no prosecution shall be directed, then farewell to the peace of this district; upon all future occasions opposition will be useless, and not only will anniversaries, such as the 5th November and 12th July, be celebrated with immense parade, but every opportunity of funerals and every occasion will be laid hold of to celebrate the triumph.

I should hope, however, the decision of his Excellency would be to prosecute the offenders in this instance, and thereby prevent the necessity of severe measures on a future occasion.

I have, &c.

Sir William Gosset. *W. J. Hancock.*

Sir, Dublin Castle, 16 July 1833.

HAVING laid before the Lord Lieutenant your communications of the 12th and 13th instant, transmitting copies of informations relative to Orange processions, those papers have been submitted by his Excellency's directions to the Attorney-General, a copy of whose letter to me on the subject I beg to enclose for your information.

I have, &c.

William John Hancock, Esq. *William Gosset.*

Sir, 16 July 1833.

I HAVE had the honour to receive your letter of the 15th instant, together with one from Mr. Hancock to you, and copies of the informations taken by him against several persons for having marched in procession at Lurgan on the 12th instant. I shall undoubtedly direct the Crown Solicitor to institute or conduct a prosecution for this offence: the law has been grossly and wilfully violated, and I trust and hope that the effort to vindicate it will be attended with success. I cannot avoid observing, that the right of the parties charged to postpone their trials till the next spring assizes makes it highly probable that justice will be so long delayed, knowing the value of immediate conviction and example. I very much regret that the power of summary conviction, and the proceedings to justify its exercise, were not recurred to by the magistrates. You will see, by the 2d Will. IV. c. 118, 52 & 53, that if the proclamation there stated had been read (as it certainly ought to have been), the parties guilty might have been convicted by Mr. Hancock as soon as he could have had them arrested. The consequence of omitting to take this course is, that instead of having the measure of conviction executed, or at least attempted, by those to whom that duty is confided, and instead of having an immediate trial and conviction, the Government is reduced to the necessity of instituting an expensive prosecution, the course of which is likely to be retarded, and the event of which (whatever may be our precautions) may be influenced by party spirit. I am bound to believe that there was some satisfactory reason for not discharging the magisterial powers created by the Act, but I do not know, nor can I conjecture what it was.

I remain, &c.

Sir William Gosset. *J. Blackburne.*

In consequence of those orders I arrested fourteen men; when I apprehended one man he gave bail, the others refused, and they were marched to Armagh gaol.

8822. You had them apprehended?—Yes, and examined before Mr. Brownlow and me; and they were committed by Mr. Brownlow and me on their refusing to give bail. We did every thing we possibly could to induce them to give bail, but they totally refused. There was a prosecution against the fourteen; the jury acquitted eleven upon the grounds——

8823. When did it take place?—At Armagh Assizes, before Judge Moore; the jury acquitted eleven, on the ground that they were ignorant of the law; they convicted three, and the judge discharged them without any punishment.

8824. The judge did not charge the jury, saying that ignorance of the law was an excuse?—Oh, certainly not; I will read what he said afterwards: this is a report made to Government on the 24th of July.

Sir, Lurgan, 24 July 1833.

I HAD the honour of receiving your letter of the 16th, enclosing one from His Majesty's Attorney-General: immediately on receipt of that letter, I issued a warrant against all the persons charged, and had them brought before Charles Brownlow, Esq. and myself. After taking their examinations in writing, we offered to take bail of the prisoners; one only availed himself of the offer; the other thirteen were duly committed for trial at the assizes. Great excitement prevailed, and having received information that an attempt would be made

at

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at the bridge of Portadown to rescue the prisoners, I took the precaution of having them marched off from here about half-past one o'clock in the morning of Thursday. The trial took place on Monday, and the jury, after being out a considerable time, returned a verdict of guilty against three of the prisoners. On the return of the verdict, the Hon. Justice Moore was pleased to address them in words as follows:—"I perfectly concur in the verdict which the jury have returned; it answers the purpose just as well as if every one of you had been found guilty. You are, I trust, now perfectly aware that the best way you can show your loyalty to the King is by obeying the laws of the land. I must say I am sorry to see so many respectable individuals placed in the situation in which you now stand; and I sincerely hope that you will in future refrain from joining in such processions, when you are convinced, as you must now be, that in doing so you are violating a certain Act passed in the last session of Parliament in order to put an end to assemblies of this description. The jury have, in returning their verdict, presumed that you acted in ignorance of the law: under that impression, I will not pass sentence on you at present. I shall merely require you, James Thompson, James Morrison and John Tacy, to enter into your own recognizances, in 50*l.* each, to appear at the next assizes, if required; and in the mean time I shall take the opinion of the twelve judges on the construction of the Act under which you have been indicted."

The prisoners returned thanks to his lordship, and one of them exclaimed, "Thank God we have so mild a judge!"

Yesterday a procession was formed of Orangemen, with sashes, badges and music, from Armagh to Lurgan, where they arrived about half-past six in the afternoon; orange flags were on the church, an immense assembly of people took place, and a regular procession, with twenty drums, paraded the town, and tar-barrels were lighted; one was placed opposite my door. I had only five police in the town, who had just returned from the assizes, when fortunately, for the peace of the town, a party of the 52d regiment, on march from Armagh to Belfast, arrived. Shortly after, an attack was made on my house; several windows were broken; the policemen were placed at my hall door to try and identify as many as possible. A violent struggle was made at the police; I sent a requisition for military assistance, and the moment it was ascertained I had done so, the mob dispersed in all directions, and my house was saved from destruction. The party was composed of persons from the counties of Armagh, Antrim and Down. I am quite sure, if it had pleased the judge to sentence the three prisoners to one month's imprisonment each, the entire question would have been set at rest, and not the slightest riot would have ensued. Now, unless the opinion of the twelve judges is given, and the three prisoners sentenced to some punishment as soon as it may be possible, I am quite sure it would have been much better no trial whatever had taken place.

His Majesty's Attorney-General finds fault with me for not reading the customary notice, and then proceeding to convict immediately. My answer is, that I had no force sufficient to prevent a riot, if one had taken place, as the 12th July was market-day in Lurgan, and if I had interfered some serious riot might have ensued and lives might have been lost. The trial has been immediate, the conviction certain, and the punishment has not followed—not, however, from any dereliction of magisterial duty. It is stated, that by the 2 & 3 Will. IV. c. 118, s. 2 & 3, that if the proclamation had been read, the parties guilty might have been convicted by me; but you will see it requires two magistrates to convict, and if Mr. Brownlow and I had convicted and committed them for a month, it would have been considered an extreme act of tyranny on our parts, and depriving the Orangemen of the trial by jury. The other magistrate of this barony, Lieutenant-Colonel Blacker, certainly would not join in convicting for marching to his own domain, to hear a speech from him, and partake of the good things prepared for their reception.

I thus discharge my duty to His Majesty fearlessly; and though many threats of personal violence have been held out to me, I trust the excitement will abate without any further breach of the peace.

I have, &c.

Sir William Gosset. *Wm J. Hancock.*

Sir, Dublin Castle, 31 July 1833.

I HAVE submitted to the Lord Lieutenant your letter of the 24th, reporting, with reference to mine of the 16th, various results that followed the proceedings of the Orangemen on the 12th of this month, and the part which you have taken in bringing the persons connected with these proceedings to justice.

His Excellency has no doubt that your motives in the course you pursued were perfectly upright, and that you acted with an anxious desire to discharge your duty. The attack upon your house is a very gross outrage, and no efforts ought to be spared to bring to justice those concerned in it. His Excellency desires that a reward shall be offered for the discovery of any of the principals, if information is not soon obtained to that effect.

The Attorney-General has observed on that part of your present letter which relates to your omission to read the proclamation, that he found no fault with you, but had expressed his regret that the proclamation had not been read, and his belief that there was some efficient reason for not doing so. At this moment there are some of the northern magistrates required to explain why this duty was not performed, and if the reasons assigned by you on that head (however satisfactory to your own mind) be sufficient to justify magistrates in declining

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declining to exercise the special and salutary powers intrusted to them, it would have been better they had not been created. That a trial has been had, we are indebted to the forbearance of the traversers in declining to exercise their right of postponing it until next spring.

I have, &c.

William John Hancock, Esq. *William Gosset.*

The only question that arose was this, whether the caution ought not to have been read, and whether they should not have had fifteen minutes to disperse previously to being convicted. There are two provisions, you may either proceed by caution, and commit for a month to gaol any of the party who remains in the procession fifteen minutes after the notice; then the magistrates may convict him and send him for a month's imprisonment; but it does not take away the other part, that he may be indicted for a misdemeanor for assembling. I think Judge Moore delivered the opinion at the next assizes of the twelve judges.

8825. Were those men who were thus enlarged, were they treated with any sort of procession from the dock?—Yes, they were, as stated in my letter; once some transactions took place upon it. Lord Mandeville's moral agent, a Mr. Porter, paid the expenses of the Orangemen; he applied to the judge at the time of the trial to permit the prisoners to get some refreshment in the dock. On the Tuesday morning Lord Mandeville's moral agent rode through the streets of Armagh with his horses' heads decorated with Orange ribands; a procession formed, and the Orangemen were brought home to Lurgan in great triumph.

8826. Was there a numerous party?—Two thousand or three thousand individuals.

8827. Were many decorated?—Some hundreds of the party were decorated in regular procession; Colonel Blacker will give you an account of the proceedings, for he stood on the steps of the inn at Portadown and gave three cheers as the procession passed him.

8828. It was reckoned a sort of triumph?—To be sure it was a triumph, there can be no doubt of that; Orangemen prosecuted, convicted, and no punishment followed; twenty-two drums assembled before my house in Lurgan, and a parcel of fellows were merry and joyous at it; others were not so well satisfied, but they dare not say any thing; the mob was collected from some parts of the county of Down, and I believe there were a number of Armagh people, but there were numbers from the county of Down, a great many who thought it no harm to follow a drum; there were very great blackguards in the mob, and towards evening they began to throw stones and smashed many of my windows.

8829. Who was in the house at the time?—My wife and family; and I happened to have a surgeon of the 52d regiment at dinner with me and Mr. Hazlitt; I just arrived in the middle of the whole mischief; they made an attempt to shut the turnpike gates, to get me beat, but I was too quick for them.

8830. They got opposite your house, and some threw stones at your house, did they?—Yes, a great number did.

8831. Did the procession make a stop there?—Twenty-two drums did assemble, and made a most confounded noise.

8832. Did they break the windows whilst your wife was in the drawing-room?—Yes, they threw several stones, but they did not hit the window, but the pier between the two windows.

8833. No panes were broken in the drawing-room?—No; very fortunately a party of the 52d arrived.

8834. Could they perceive that your lady was in the house?—Yes, they saw her sitting at the window.

8835. Did any person of respectability take part on this occasion?—Yes, there were some persons who, I think, should not have done so.

8836. Who, for instance?—Before I answer I wish to explain; it must be supposed that I have read the evidence of Lord Gosford, that referred to the transaction as to the curate of Lurgan, Mr. Kent; it was at page 263 of your Report, question 3730, a question was asked of Lord Gosford, if I ever knocked down a clergyman; I could explain that.

8837. Was Mr. Kent in the crowd among them on that occasion?—He was in the news-room window, making signals to the mob; and he also came down to the mob directing their motions.

8838. Is there an elevation near your house, where the mob stopped?—Yes, on the news-room steps.

8839. Did

8839. Did he take any part to prevent those proceedings on the part of the mob?—On the contrary, he directed their proceedings, particularly at one time; there was a quantity of straw sent for to be burnt as a bonfire, they were going to take it down the Castle-lane, and he directed it to be brought opposite my door.

8840. Had you had any previous misunderstanding with Mr. Kent?—I had.

8841. State the nature of it?—The moment I heard I had been charged with this——before I go into the matter, I beg to state that I regret much that I should have allowed myself for a moment to be carried away and commit a breach of the peace, which, as a magistrate, it was unbecoming to do. I tendered an apology, which was refused; I could do no more; for fear of trusting myself with the explanation, I wrote to a person who was present at the transaction; if the Committee will be good enough to allow me to read the letter—I will not give the name—it might expose the individual to some odium with a very powerful party.

8842. This is from a person who was present at the transaction, and saw the whole of it?—"The 12th of July arrived, and a grand procession took place (this is the 12th of July 1833). In the course of the day, I observed a poor man's cart standing rather across the street opposite your house. There were some long sticks of timber tied on the cart, projecting several feet beyond it; in the middle, a good decent-looking country woman sitting in the cart, holding the halter or bridle. An Orange procession came up, playing party tunes; the horse got uneasy at the music, and backed a little, and the cart interfered with the procession. Some of the Orangemen rushed forward, and struck the horse savagely over the head and neck with sticks; the woman seemed frightened; at this moment the owner of the cart, a Catholic, of the name of Devlin, came out of Mr. Armstrong's store or gateway, and took the horse by the head; he seemed very angry at the moment at the manner in which his horse had been beaten, and he was in no hurry to remove the obstruction presented by the horse and cart, and the sticks of timber, which had by this time got right across the street. After a good deal of wrangling, and some hard blows dealt to the poor horse, the obstruction was removed, and the procession moved on. Mr. Kent was standing on the steps of this news-room, and saw the whole affray. On Thursday the 18th of July 1833, about 4 o'clock in the afternoon, I saw you standing in the street, talking to Mr. Morris, when Mr. Kent rode up to Mr. Armstrong's shops, leaving his mare standing in the street without any one to hold her; she accordingly moved off. You, Mr. Morris, Mr. Kenna, the tailor, and the identical Devlin, assisted in catching the mare. Mr. Kent began rowing him for interrupting the Orange procession on Friday. Devlin being a tenant of Mr. Brownlow, you immediately took his part, and said he was in the market on his lawful business, and had no right to leave the way for people who were disturbing the market walking in processions contrary to law. Mr. Kent replied, 'Orangemen had as good a right to walk in procession as the Catholics on St. Patrick's Day, and that the Government was composed of a set of base, cowardly rascals, not fit to govern any country.' You replied, 'I warn you, Mr. Kent; I hold His Majesty's commission of the peace, and I will not permit you or any other person to speak contemptuously of His Majesty's Government in my presence.' 'Oh,' said Mr. Kent, 'I did not intend what I said to be personal; but since you take it so, I repeat what I said before, that the present Government is composed of a base, paltry, cowardly set of poltroons, unfit to govern any country;' to which you replied, 'Not so base, so cowardly as you, and such as you, who skulk in safety yourselves, but put forward ignorant, deluded people to break the law by walking in processions, when you dare not head them yourselves;' to which he replied, 'You are a damned liar;' to which you replied with a blow on the left cheek with the back of your right hand; on which he said, 'You are a scoundrel to strike a clergyman;' you said, 'I did not strike you till you called me a liar;' on which he said, 'I did not call you a liar;' to which you replied, 'You did,' most emphatically and repeatedly, he as often denying it; and then he said, 'You are a damned infernal liar, and a ruffian to strike a clergyman.' At this moment Mr. and Mrs. Brownlow drove up, and so that part of the affair ended." Mr. Kent then proceeded to lodge informations; an apology was tendered at the October sessions, which was refused. I now hold in my hands an apology, which was accepted at the December sessions afterwards; I also hold a certificate from the clerk of the peace.—[*The Witness hands in the Certificate.*]

W. J. Hancock, Esq.

County of Armagh.

The King *v.* William John Hancock.

31 July 1835.

I HEREBY certify that the following is the Rule, as entered by the Court in the Crown Book in the above case, at a General Quarter Sessions holden at Lurgan, on the 30th December 1833:

"Quash indictment on application of Prosecutor's attorney."

J. W. O'Kinstry,

Dated this 26th June 1835. Deputy Clerk of the Peace, County Armagh.

My apology having been accepted, and 50*l.* paid, I considered the affair at an end; and why revived now, I cannot understand, unless to produce more bad feeling, and serve a political purpose.

8843. What occurred afterwards; was there an attempt to set fire to your house?—I know of no attempt.

8844. Were you in alarm that your house would be attacked?—That night I was.

8845. Describe that?—It got dark, and the most respectable of the Orangemen had left town and gone away; there was a very large number of individuals, very low blackguards, assembled about the doors, and began to throw stones. A party of military were on their march from Armagh to Belfast, and the moment I saw them, I sent a requisition to the officer commanding to be ready to turn out, and immediately after the orders were given to them, the leaders of the Orange party—I allude to William Johnson, who has some authority—he told me if I would not call out the military or be rash, he would take care to have the town cleared. I said that my only object was to preserve the peace, but as they had proceeded to acts of destruction of property, I would not permit that; and the party dispersed, and the military were not called out.

8846. No further affray did take place?—No.

8847. Are there many Protestant gentlemen in the district of Ireland with which you are connected that are not members of the Orange associations?—A great number.

8848. Many of the leading gentry of the country condemn it?—Yes, Lord Charlemont, Lord Gosford and Mr. Brownlow do not join it, and a great many of the middle classes, who form the respectable portion of the population, Protestants and Presbyterians.

8849. But persons who are not Catholics?—A great many of the middle classes are decidedly averse to all exhibitions of the kind.

8850. Lord Gosford is a church of England man?—Yes, I am a member myself.

8851. But the most prominent persons, are they not generally persons of rather a low character?—Decidedly.

8852. Of the lowest description, with little property?—Yes, by the Orange institution they get themselves connected with the Orange leaders.

8853. By being members of these Orange associations they derive a kind of consequence they would not have were they not?—Certainly.

8854. You have alluded to Mr. Porter already as agent for Lord Mandeville?—I have.

8855. Do you recollect his appearing, in the case of inquiry, before the Solicitor-General, Mr. Crampton, at Tanderagee?—Yes, Lord Gosford was ordered to inquire into a riot and bonfire in Tanderagee in which I was burned in effigy; and Dean Carter had been dismissed for being present at the fire when a brother magistrate was burned in effigy, without interfering to prevent the outrage.

8856. Did any thing in his evidence strike you as particular?—The evidence is this—

[*The Witness reads the following Evidence.*]

"I was in Tanderagee on the 24th of July; I was aware of the bonfire, was present at it; not aware of the effigy; the intention of the fire, I believe, originated with myself on Tuesday night; the trial of the Orangemen terminated on Monday night; between five and six on Tuesday evening it occurred to me to be a good thing to have a bonfire to commemorate the acquittal of our friends; I consider the Orangemen our friends; I called on Mr. Hardy about tar-barrels, it was too late, and put off that evening; I told James Ogle about bonfire; I saw the brewer's dray come to the Castle; I bought a barrel of beer myself, it was paid for by me; it was never in Lord Mandeville's house, but laid down; several, and I amongst others, paid the expenses of the Orangemen who were tried, and for that

that reason had the bonfire; I saw nothing that I believe was an effigy; I was anxious that Lord Mandeville's boys should see the bonfire, being a pretty thing; I saw this on the loft, which I believe was afterwards burned; I gave no directions, and did not interfere about the bonfire."

W. J. Hancock, Esq.

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I would also read the evidence of Mr. Brownlow:

[*The Witness reads the following Evidence.*]

"I am a magistrate for Armagh; I saw Mr. Hancock when the examinations were taken at Lurgan; we told the men who were brought up that we were anxious to take their bail; they declined giving bail, and we had to send them to Armagh gaol in consequence; I did not witness any diversity of feeling on that occasion; the feeling was nearly universal; the proceeding had the appearance of being particularly unpopular with the Orangemen of the county; after the assizes ended in Armagh I returned to Lurgan; when I returned, I saw the first demonstration of feeling at Portadown church, where an Orange flag was hoisted on the church; I met Colonel Blacker; I proceeded to Lurgan, and saw a flag on that steeple also; there were several persons at the toll-gate; I passed on without receiving any notice; guns were firing during the time, flags were flying, and the noise was heard of the assemblage of large bodies of people; a large assembled multitude during the whole night; I saw marks of fire before Mr. Hancock's door the next day, and his windows were broken; I do not say any such thing as that the whole Protestant population had the same feelings on the subject; I should be very sorry; I should hope a very large portion had not; but as far as I saw on that occasion, it was a feeling condemnatory of the conduct of Mr. Hancock and myself; I think burning a magistrate in effigy is calculated to bring the laws and the vindicators of the laws of the country into great disrepute, and if something is not done to prevent such a proceeding, it will be in vain for the magistrates to assert or vindicate those laws.

(*To Mr. Craig.*)—I never heard of any effigy burnt for my conduct on that occasion; I dare say with the Protestant exclusives that may render Mr. Hancock unpopular; party feeling runs very high in this country; that, like every other question in this country, has assumed and wears a very strong party aspect.

(*To the Solicitor-General.*)—I consider that effigy burning indecent in the fullest degree; an insult to a clergyman; I acted little as a magistrate; Mr. Hancock is my agent, and the only acting magistrate in Lurgan; on the 12th July I met Mr. Hancock in my office; he spoke with reference to the day he consulted me; that with reference to the peace of the country there, it might be unwise to interfere; we did not interfere, but the police brought in the names of the persons who attended; we sent them to Dublin, and took informations by order of Government."

8856*. Had you the co-operation of Mr. Brownlow in taking these depositions and proceedings against these men?—Certainly.

8857. You did not act for yourself?—Certainly not.

8858. How does that appear?—By his evidence before the Solicitor-General at Tanderagee.

8859. State what passed to your knowledge at Portadown?—On the 13th of November last there was a party of men came in beating a drum. Here are the informations taken before me on the subject, and the communications of what I did on the subject, and a report of this trial, which took place before the barrister at Lurgan on the 4th of June 1835.

8860. What documents are they?—Copies of the informations taken.

8861. Are they correct?—Yes.

8862. How is the account of the trial taken?—By my son.

8863. In what capacity?—He took notes of it.

8864. As an auditor?—Yes.

[*The Witness puts in the Informations.*]

COPIES of the several INFORMATIONS taken upon Oath before *William John Hancock*, Esq., relative to an illegal and riotous assemblage at *Portadown*, on the night of Thursday, the 13th November 1834.

Counties of Armagh and Down, to wit. } The informations of Charles Atkinson, chief constable of police of Portadown, taken on oath: Saith, that on Thursday night, the 13th November instant, about the hours of ten or eleven o'clock, constable Stratton, with a party of police, came to informant's house, and had with them a large drum in custody, which they stated had been beaten through the town of Portadown, by a man whom they identified to be Richard Bullock, who lives in a place called Baltylum, at the end of the town. There was a crowd of persons accompanied the police to informant's house; and constable Stratton observed the said Richard Bullock in the crowd, upon which informant desired the police to take said Bullock into custody. They did so, and he was detained in informant's house all the night: Saith, that he this day dispatched constable Stratton to report the circumstance to Curran Woodhouse, Esq., the nearest magistrate, who sometime

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time afterward came into town, and the prisoner Bullock was taken before him, when he was held to bail for trial at the next sessions: Saith, that at the same time he, this informant, stated that two or three other persons could be identified and sworn to, to which Mr. Woodhouse made no reply: Saith, that having attended at petty sessions at Lurgan this day, he thought it his duty to report the occurrence to Mr. Hancock, and calling upon him as a magistrate to interfere, as he this informant did not consider that he had been supported or assisted in the manner he expected by the magistrate in Portadown. Informant further saith, that from all the reports he has heard of this transaction, he has no doubt that the object of the party was to create a riot, and thereby bring the police into collision with the people; and that the assembly was calculated to endanger the public peace, and to raise fears and jealousies among the King's subjects, particularly in the present state of political and religious excitement, owing to transactions and riots, and their consequences, which occurred previous to informant's arrival in said district.

Informant bound in the sum of 20*l.* to attend at the next Quarter Sessions at Lurgan.

Chas. Atkinson, Chief Constable.

Taken, sworn and acknowledged before me, at Lurgan, this 14th day of November 1834,

(signed) *Will. John Hancock.*

Counties of Armagh and Down, to wit. } The informations of William Stratton, constable of police of Portadown, taken on oath before William John Hancock, Esq.: Saith that he was in bed on Thursday night, the 13th instant; that between the hours of 10 and 11 o'clock, he was awoke by the noise of a fife and drum playing party tunes (at least such as informant considers party tunes) through the town of Portadown. Informant got up, and dressed himself as fast as he could, and raised the remainder of the party then in the barrack: Saith, that on getting into the street, he observed a crowd of persons marching through the street, they had a fife and drum with them. Informant went up to the party, and asked them, in the name of God, "what are you about?" He got no satisfactory answer, and the party became very disorderly. They began to abuse informant and the police, and some of them said to informant, "Stratton, you have been long enough in Portadown, and it is time you were out of this;" and a great deal more to that purpose. One man said, "That he would rather be beating informant than eating bread and butter." Informant desired the party to disperse, after he had seized the drum, and got possession of it. They then called out to lie on, and take back the drum, for it was a shabby thing to let the pig drivers take it from them. Informant and his men then proceeded to the chief constable, and took the drum with them, and was followed by the crowd, shouting and threatening, and making use of very abusive language. On arriving at the chief constable's, and reporting the circumstance to him, he desired informant to take Richard Bullock, then in the crowd, into custody, he being the person in whose possession the drum was got. The said Bullock having pleaded guilty on his trial at the last Armagh assizes for the riot which took place at Portadown, and on which the police were obliged to fire, by which one man lost his leg, he, the said Richard Bullock, was sentenced to a fortnight's imprisonment.

Saith, that he saw a man of the name of Hall, thinks it is William Hall, the son of a blacksmith. Informant called upon said Hall to take the crowd away, and to prevail upon them to disperse quietly. Hall replied, that they, meaning the crowd, were a dirty shabby set, or they never would have allowed the police to take the drum from them, and other expressions of the like nature. Saith, that there were persons in the crowd whose persons he knows perfectly well, but does not know their names; and that there was a man, he believes, of the name of Nesbitt among them. Informant then left the said Richard Bullock in custody with the chief constable, and proceeded back to the barrack. The crowd remained in the street for a considerable time afterwards. Saith, that on this morning he was directed by the chief constable to report the circumstance to Curran Woodhouse, Esq., the magistrate residing nearest the town; that on going to him for that purpose, Mr. Woodhouse replied, that Mr. Atkinson might release the prisoner Bullock out of custody, if he thought proper; but that he (Mr. Woodhouse) did not know any thing that could be done. Informant replied, that he thought Mr. Atkinson would not discharge the prisoner without seeing him, Mr. Woodhouse. In about two hours afterwards, Mr. Woodhouse came into town, took informant's informations, and ordered Bullock to find bail to take his trial at the next sessions. Mr. Woodhouse then asked informant if he knew any other of the party in the crowd? Informant replied, that he did know one person. Mr. Woodhouse did not ask any thing farther as to the transaction. Informant has no doubt whatever that the party assembling in Portadown in that manner, playing party tunes, is calculated to endanger the public peace, and to raise fears and jealousies among the King's subjects, particularly after the recent transactions in Portadown, wherein the police were obliged to act on the last Easter fair day.

Informant bound in 20*l.* to attend at next Lurgan sessions.

William Stratton.

Taken, sworn, &c. before me, this 14th November 1834,

(signed) *Will. John Hancock.*

Counties

W. J. Hancock, Esq.

31 July 1835.

Counties of Armagh and Down, to wit. The informations of Charles Atkinson, chief constable of police, stationed at Portadown, taken on oath before William John Hancock, Esq.: Saith that in consequence of the arrest of William Hall and George Nesbitt on Friday evening, the 14th instant, and their being transmitted to Lurgan bridewell, where they were detained in custody the whole of Saturday, the fair day of Portadown (held on Saturday) passed off without any riot, or the slightest breach of the peace; and informant (from the threats which had been previously held out against the police) has no doubt such would not have been the case, had it not been for the apprehension of the said Hall and Nesbitt: Saith, that on Saturday, the 15th instant, this informant met, on the street of Portadown, Joseph Atkinson and Curran Woodhouse, Esquires, two of his Majesty's Justices of the Peace for the county of Armagh. Mr. Woodhouse asked informant "what he had arrested the two men the night before for?" Informant replied, "by a warrant from Mr. Hancock, issued on the informations of constable Stratton and himself (this informant)." Mr. Woodhouse then asked informant "why he did not lodge the informations before him?" Informant replied, "that he had stated the case to him (Mr. W.) the day before, and that he did not seem inclined to act, or take the informations." Mr. Woodhouse then said to informant, "it is false," or "it is wrong. I did not refuse, because you did not offer them." Informant replied, "do you forget the message you sent me by constable Stratton, relative to the prisoner Bullock, that informant might liberate him when he chose, as he, Mr. Woodhouse, did not know what to do with him." Mr. Atkinson and Mr. Woodhouse then both joined in abusing informant, in a very loud and angry tone, in the open fair, and said to informant that he was the cause of bringing Mr. Hancock over to Portadown; that Mr. Hancock had no business to come over there to interfere with Portadown business; and Mr. Woodhouse added, "should not Mr. Hancock say, if he Mr. W. was to go to Lurgan, that he was a damned rascal for interfering in his magisterial capacity?" Mr. Atkinson (the magistrate) also stated, that it was he (this informant) who had brought Mr. Hancock over to Portadown to acquit Wilson, a constable, of some complaint made against him, and added that he would get his son to write to a society in Dublin to get informant prosecuted for that, and asked informant how he would then feel upon it? Informant made no reply, further than stating that he conceived he had done his duty and no more.

Informant afterwards attended the said magistrates at petty sessions, they there repeated the abuse respecting constable Wilson, to which informant replied that he would not allow himself or his men to be deterred from doing their duty by any threats held out about any Dublin society, or any other society whatever. Informant saith, that nothing further occurred at that time. That after eleven o'clock on that night, his party of police proceeded to clear out the several public-houses, pursuant to a warrant issued at the previous petty sessions by Mr. Woodhouse and Mr. Hancock: Saith, that one man was arrested in a public-house, as reported to this informant by his party. He was detained in custody all night, pursuant to the warrant; and on Sunday morning he, this informant, desired constable Stratton to report the circumstance to Mr. Woodhouse, and to know what hour it would suit his convenience to hear the complaint. Stratton stated that he had seen Mr. Woodhouse, and that he (Mr. W.) would be at his office at eleven o'clock. Accordingly informant and his party attended with the prisoner at the office at the hour of eleven o'clock. Mr. Woodhouse did not come to the office until half-past two o'clock. When he came in, he asked "what was the matter?" Informant replied, "that he had a prisoner in custody, who had been arrested the night before on the warrant issued by him (Mr. W.) and Mr. Hancock, and that he wanted to know what was to be done with him?" Mr. Woodhouse then said that he was in the office at eleven o'clock, to which informant said that he begged Mr. W's. pardon, that he was not there at that hour, as informant and his party had been in attendance from five minutes before eleven, and had not seen him. Mr. Woodhouse then said, "that he had sent informant a message, to take the prisoner to his (this informant's) own magistrate, Mr. Hancock." Informant replied, "he had received no such message, or if he had, he would have taken the prisoner there." Mr. Woodhouse then went into the investigation, and having read the Act to the prisoner, told him he would fine him the lowest penalty the Act allowed, although the conduct of the prisoner, during the investigation, was excessively outrageous and insulting and abusive to the police, and he insisted upon preferring a complaint for an assault against the police. Informant then made a complaint to Mr. Woodhouse against a Mr. Fisher, who had on the night before gone to informant's house, abused his wife and family, and threatened to put informant out of the town, as he had done with Mr. Brenan and a revenue officer of the name of O'Reilly. Mr. Woodhouse told informant that he could do nothing in the business, except to bind Fisher over to keep the peace; and Mr. W. added, that informant might blame himself for all that had occurred, and that he (informant) was the cause of all the party-work that had taken place in the town. Informant saith, that Mr. Woodhouse's conduct and manner were most violent and unbecoming; and saith that he verily believes he will not receive that support or assistance from Mr. Woodhouse to which he is entitled.

Chas. Atkinson, Chief Constable.

Taken, sworn, &c. before me at Lurgan, this 17th Nov. 1834,

(signed) *Will. John Hancock.*

W. J. Hancock, Esq.

31 July 1835.

Counties of Armagh and Down, to wit. } The informations of William Stratton, constable of police of Portadown, taken on oath before William John Hancock, Esq.: Saith, that having received a warrant from his chief constable Atkinson, on Saturday the 15th instant, signed by Curran Woodhouse and William John Hancock, Esquires, he and a party of police proceeded to several public-houses in the town of Portadown, after 11 o'clock at night, to clear out any persons that might be found drinking therein: Saith, that at the public-house of Solomon Coburn there were several people in the house; informant desired them to go home, except such as were lodgers in the house; one man, who had the appearance of having got a good deal of drink, refused to leave the house, and became very violent in his language and conduct; he refused to leave the house at all, and said, he would not go for all the police there, and other expressions, which informant cannot recollect. Informant at length took him into his custody, and handed him over to his party to take charge of; he then became, if possible, more violent and disorderly, threatened to take the black belts off the police, and actually rescued himself out of the hands of the sub-constable who had him in charge. He was however with some difficulty retaken, and secured and brought to the police barrack, where he was detained until the next morning. On Sunday morning informant went to the post-office for letters, and there saw Mr. Woodhouse, the magistrate, to whom informant reported the circumstance of the man's arrest, and of his being in custody, and for what offence; and informant at the same time asked Mr. Woodhouse what time it would be most convenient for him to have the prisoner brought before him. He replied, that he would be there; at 11 o'clock. Informant then went to his chief constable and reported to him what had passed between him and Mr. Woodhouse; accordingly at the time appointed, chief constable Atkinson, with informant aud two sub-constables, having the prisoner in charge, waited at the office in pursuance of Mr. Woodhouse's appointment. On arriving at the office, Mr. Woodhouse was not there. Mr. Atkinson asked the clerk if Mr. Woodhouse was there; the clerk replied, that Mr. Woodhouse had not come yet. Mr. Atkinson, with the party of police and the prisoner remained in the office until half-past two o'clock, at which time Mr. Woodhouse arrived. Mr. Woodhouse immediately addressed himself to Mr. Atkinson, and asked him, "What's all this about?" Mr. Atkinson then told him he had a prisoner there, and related the charge, and also told Mr. Woodhouse he had been waiting there since 11 o'clock, Mr. Woodhouse replied, "that he had been at the office at 11 o'clock;" to which Mr. Atkinson said, "begging Mr. Woodhouse's pardon, you were not here at that hour, and I refer you to the clerk, who has already stated that you were not here at that hour." Mr. Woodhouse then said to Mr. Atkinson, "Well, sir, I sent you a message this morning to take the prisoner to Mr. Hancock, who is the magistrate that has been doing business for you of late." Mr. Atkinson replied, "that he had received no such message." Mr. Woodhouse repeated that he had sent him such a message, and Mr. Atkinson again denied that he had received it. Mr. Woodhouse then heard the complaint against the prisoner, who was very violent and disorderly in his conduct and language during the investigation, and made use of abusive and insulting language to the police in the presence and hearing of the magistrate, who did not interfere to prevent him. The prisoner was then convicted and fined 5*s*. Mr. Woodhouse then left the office, and returned in a short time; a complaint was then made to Mr. Woodhouse against the man who had been convicted for rescuing himself out of custody, and assaulting the sub-constable, and a summons was requested, that it might be served upon the man before he would leave the office. Mr. Woodhouse said, there should be no summons served that day, and said it was the fault of the police, all this work, meaning, as informant believes, the informations that were lodged before Mr. Hancock, and the arrest of the parties, in consequence of the drum beating on the Tuesday night previous. Informant saith, that he has no doubt that in consequence of the arrest of Hall and Nesbitt, and their transmission to Lurgan bridewell, the peace of the town was preserved on Saturday last, being the fair-day in Portadown; and that from the various transactions which have taken place latterly in Portadown, he has no hesitation in stating that the police do not receive that assistance and support from the local magistrate which the circumstances of the times require.

William Stratton.

Taken, sworn, &c. before me, at Lurgan, this 17th November 1834,

(signed) *William John Hancock.*

Counties of Armagh and Down, to wit. } The informations of Andrew Greer, sub-constable of police stationed at Portadown, taken on oath before William John Hancock, Esquire: Saith, that he was on duty in Portadown on Thursday night, the 13th instant, and assisted in seizing a drum which had been beaten on that night through the town of Portadown, there was a crowd attended, and a great deal of very violent and abusive language: Saith, that in that crowd there were two persons whom he knew, namely, one Bullock and William Hall: Saith, that he heard said William Hall curse and damn the party that had given up the drum, for that he would have lost his life before he would have given it up. On going a little farther on, the said William Hall cursed this informant, and damned him when he had advised Hall to go home, and among other expressions, he swore he would ram the carabine up informant's backside; the crowd were very

very disorderly, and became so furious that the constable in charge of the party of police was obliged to order the police to fix bayonets.

W. J. Hancock Esq.

Informant bound in 20 *l.* to attend at the next sessions at Lurgan.

Andrew Greer.

31 July 1835

Taken, sworn and acknowledged before me at Lurgan, this 17th day of Nov. 1834,
(signed) *Will. John Hancock.*

Counties of Armagh and Down, to wit. } The informations of Charles Wilson, sub-constable of police stationed at Portadown, taken on oath before William John Hancock, Esquire: Saith, that he was called on duty on Thursday night, the 13th instant, by constable Stratton, to assist in seizing a drum which a crowd had with them playing through the town of Portadown, between ten and eleven o'clock: Saith, that the party of police seized the drum, and proceeded with it to chief constable Atkinson's house, where it was left: Saith, that several of the crowd were very violent, and resisted as long as they could delivering up the drum; they made use of a great deal of threatening expressions; heard one man say he would rather be beating constable Stratton than eating bread and butter; and many other expressions, which he cannot remember. Informant and another sub-constable, of the name of William Cross, were left in the rear of chief constable Atkinson's house to protect it, and prevent the crowd from doing injury: Saith, that he heard some of the crowd say, that they would wait in the entries for the police till they would blow their brains out; there was a great deal of other language of a threatening nature used, which he cannot remember.

Informant bound in 20 *l.* to attend at the next Sessions at Lurgan.

Charles Wilson.

Taken, sworn and acknowledged before me at Lurgan, this 17th November 1834,
(signed) *Will. John Hancock.*

Counties of Armagh and Down, to wit. } The informations of William Cross, sub-constable of police stationed at Portadown, taken on oath before William John Hancock, Esquire: Saith, that he was on duty in Portadown on Thursday night the 13th instant, at the seizing of the drum, and dispersing of the crowd about the same: Saith, that he assisted in taking hold of the drum and bringing it to the house of chief constable Atkinson, where it was left in his custody: Saith, that the crowd were very violent in their conduct and expressions; some of them said that if they had been there when the drum was seized, they would have died before they would have parted with it. Informant remained in the rear of Mr. Atkinson's house until the crowd had dispersed from about the place: Saith, that he heard several voices shouting, and making an uproar; heard one man say, that they would lie in wait in the entries for the police and that they would blow their brains out: Saith, that the people were violent in their language and expressions generally; informant does not know the names of those persons who made use of the threatening expressions; the only persons that he knew in the crowd were Bullock and Hall, who are already under bail.

Informant bound in the sum of 20 *l.* to attend at the next Quarter Sessions at Lurgan.

William Cross.

Taken, sworn and acknowledged before me at Lurgan, this 17th November 1834,
(signed) *Will. John Hancock.*

County of Armagh, to wit. } The examination of William Hall, of Edenderry, charged upon the oath of constable William Stratton, with having unlawfully assembled at Portadown on Thursday the 13th instant: States, that he was at the house of his mother-in-law, Anne Mulholland, near the church; heard the noise of the police taking the drum from the men; when he was going down he joined the party, and went to the captain's with the party, and states all he knows about the matter; never made use of the expressions attributed to him by constable Stratton, nor any expression of the kind.

William Hall.

Taken and acknowledged before me at Lurgan, the 15th November 1834,
(signed) *Will. John Hancock.*

County of Armagh, to wit. } The examination of George Nesbitt, charged upon the oath of constable William Stratton, with having unlawfully assembled with others in Portadown, on Thursday the 13th instant: States his name to be George Nesbitt; that he is a servant of Mr. Samuel Morrowes, the publican, of Portadown; was in his master's house when the police were coming up with the drum, and just went up to the captain's with them, and that is all he has to say; made use of no expressions against the police, nor heard of any.

his
Geo. ✕ *Nesbitt.*
mark.

Taken and acknowledged before me at Lurgan, 15th November 1834, having been first truly read,
(signed) *Will. John Hancock.*

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8865. The informations explain the whole transaction?—Yes; there is another transaction, a drum-beating party, or a number of people assembled to resist the police that is near Lurgan; on the 22d of May this year they were convicted.

8866. Are these the informations taken?—Yes.

8867. What was the nature of the occurrence?—It was connected with a number of persons who went to a bog of Count De Sales; there had been a dispute about the boundaries of the bog; they assembled, and on the men returning they met in a public-house, Orangemen and Catholics; they fell out, they had a box, and were pursuing each other, then came out the drum for three or four nights.

8868. Did these drums come out from Orange Lodges?—It is so believed.

[*The Witness reads from the Informations.*]

Counties of Armagh and Down, to wit. } The informations of Terence Sheeky, of Ballygargan, taken upon oath before William John Hancock, esquire, one of His Majesty's justices of the peace for the said counties: Saith, that on Friday night last, the 15th instant, a number of people assembled at informant's house in Ballygargan, in a riotous and violent manner: Saith, that they made a great uproar and affray, and that they proceeded to demand informant to deliver out of his house a boy they alleged to be there; they had 200 sticks with them, and after using a great deal of violent and abusive language, they actually threw stones into his house, broke several panes of glass in one of his windows, and the web in his loom was greatly injured in consequence of a stone thrown in through the window, which lighted on his web and broke the yarn therein. Informant saith, that he identified, as forming part of the mob so assembled and acting riotously, John Hughes of Ballinagarrick, and James Hughes of same, in the county of Down; James Friars and William Friars and William Martin, all of Knocknamuckley in the county of Armagh; and many others whom he did not know.

Informant bound in the sum of 20 *l.* to attend at next Armagh Assizes.

his
Terence ⋈ *Sheeky*,
mark.

Taken, sworn and acknowledged before me, at Lurgan, this 22d day of May 1835,
William John Hancock.

Counties of Armagh and Down, to wit. } The informations of Terence Sheeky, of Ballygargan, in the county of Armagh, taken on oath before William John Hancock, esquire, one of His Majesty's justices of the peace for the said counties: Saith, that in consequence of lodging informations before the said justice, on Friday the 22d instant, touching a riotous assemblage at his house on the night of Friday the 15th inst., by a number of persons who had attacked his house and committed certain acts of violence (and for whose apprehension warrants were ordered to be issued by said justice), he has reason to suppose, and he does on his oath believe, that another assemblage took place at informant's house, on the night of Friday the 22d May instant, for the purpose of intimidating him (this informant) from proceeding further in the prosecution he had commenced. Informant heard drums beating and fifes playing, and they passed his house several times; when passing it a great cheer was given, and they shouted "To hell with the Pope;" a shot as if from a gun, as informant thought and believes, was fired as they passed his house; shots had also been fired before they came to his house and after they passed it. Informant was in great terror and alarm in consequence of the mob coming to his house in the manner they did, and was obliged to close up his windows and secure his house in the best manner he could, lest an attack should be made upon it and himself or his family injured in some way by them. Informant did not leave his house, and he could not identify any of the persons so assembled.

Informant bound in the sum of 50 *l.* to attend at the next Armagh Assizes.

his
Terence ⋈ *Sheeky.*
mark.

Taken, sworn and acknowledged before me at Lurgan, this 23d day of May 1835,
William John Hancock.

Counties of Armagh and Down, to wit. } The informations of Thomas Sheeky, of Ballygargan, in said county of Armagh, taken upon oath before William John Hancock, esquire, one of His Majesty's justices of the peace for said counties: Saith, that on the night of Saturday the 23d instant, the police constabulary of Lurgan and Gilford came to his house about the hours of seven or eight o'clock; they said they had a warrant with them for the apprehension of those men against whom informant lodged informations on Friday last; as soon as the police arrived, informant observed his neighbours running about from one place to another, as if in the way of giving warning of the police being in the country. The police remained nearly an hour, they did not succeed in taking any of the persons charged; shortly after the police left informant's house, a crowd collected and marched past informant's house; they had drums with them, which they beat; one man on passing the house shouted "No Pope," and they kept beating the drums for a considerable time.

Informant

Informant does not know any person in that crowd, he thinks they kept up the drum beating until 12 o'clock and after it.

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Informant further saith, that from the state of excitement in which the country people were, and the numbers collected together, he is of opinion that it would not have been in the power of the police to have made prisoners of any of the parties against whom they had warrants.

his
Terence ⋈ Sheeky,
mark.

Taken, sworn and acknowledged before me, at Lurgan, this 24th May 1835,
William John Hancock.

Counties of Armagh and Down, to wit. } The informations of Laurence Fox, of Ballygargan, in the county of Armagh, taken on oath before William John Hancock, esquire, one of His Majesty's justices of the peace for said counties: Saith, that on the evening of Friday the 15th instant he had been in the public-house of James Watson, of Knocknamuckly, along with several others of his neighbours; informant had a pipe which William Martin got the loan of from him; John Doak and James Friars were also there and used informant's pipe. Informant asked William Martin for the pipe, he denied having it, upon which a quarrel took place between informant and those persons already mentioned. Informant was afraid of being beat by the party in the house, and got to the door and ran off as fast as he could, and never looked behind him.

Informant bound in the sum of 20 *l.* to attend at next Armagh Assizes.

his
Laurence ⋈ Fox,
mark.

Taken, sworn and acknowledged before me, this 24th May 1835.
William John Hancock.

Counties of Armagh and Down, to wit. } The informations of John Hagan, of Knocknamuckley, in the said county of Armagh, taken upon oath before William John Hancock, esquire, one of His Majesty's justices of the peace for said counties: Saith, that on Friday night last, the 22d May instant, a large number of persons,—there might be between 50 and 100,—passed informant where he was standing, at the edge of a public road in Knocknamuckley; they had three drums and fifes with them; they were playing party tunes and shouting "to hell with the Pope," and other aggravating expressions; from the direction of the road they had come from, they must have passed by the house of Terence Sheeky, of Ballygargan. Informant heard several shots, as if from guns fired, and a great deal of shouting before the mob came up to where he was standing; as the mob passed by, one of the men came out of it and came forward to informant and asked him if he would know whether he would know them again or not; informant replied that may be, he would have cause to know them after the treatment Terence Sheeky had got the Friday night before; the mob then passed on; informant followed them at a short distance; the mob then stopped till informant and his wife, who was with him, passed them, and very soon after that the mob commenced throwing stones. Informant heard one of the fifers shout out "to hell with the Pope," and other such like expressions. Informant was struck with the stones thrown at him; some of the mob kicked him as he passed by, several others struck him with their fists; his wife also was struck once or twice by some of the mob; their conduct was very violent and outrageous, and informant and a great many of his neighbours have latterly been in a very great state of alarm and terror in consequence of the nightly paradings, drum beatings, firing of guns and exasperating expressions of mobs collected together, as the mob informant has already described acted on Friday night, the 22d instant. Informant saith, that in the mob that attacked him on that night he fully identified Samuel Friars of Knocknamuckley, who is in the Seagoe Yeomanry, he was beating a large drum; John Martin of same, who was also beating a drum; William Hughes of Ballinagarrick, who was also there and beating a drum; John England, who lives near Drumlin Hill, he was playing a fife; informant thinks he belongs to the Seagoe Yeomanry; John Hardy of Knocknamuckley was also in the crowd; George Parr, who lives in the county Down, does not know the name of the townland, thinks it was he who struck informant a violent blow; there was also another man of the name of England, thinks it is John England who lives at a place called Duck-street, but is not sure whether there or at his grandfather's at Knocknamuckley; informant thinks that that man struck him with a stone; informant is sure that another man, whose name he thinks is Campbell, and who lives at the Bann river edge, was also in the mob on that night. Informant saith, that he would know at least 20 more who were in that mob on that night, but he cannot recollect their names; he may yet recollect their names, and he will be able to identify them at a future period should he see them again. Informant had great difficulty in getting out of the hands of the mob into a neighbour's house, whose name is Patrick Murphy, of Knocknamuckley; he saw the stones thrown and the state he was in when he got to his house. Informant thinks that John Sheeky, of Ballygargan, could identify many of the persons in that mob on that night, and also James Murphy, of Knocknamuckley, ought to be able to identify some of the mob; there was also another man of the name of Patrick Hagan, of Knocknamuckley, he saw the mob and heard their expressions, and saw their conduct. Informant further saith, that on Saturday night, the 23d instant, another mob assembled to the number of between 200

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and 300, beating drums, firing shots and getting on in their usual violent and aggravating conduct; cheering and shouting at the houses of Roman Catholics, and uttering language calculated to provoke and irritate them to some hostile and retaliating conduct. Informant saith, that in consequence of these tumultuous assemblages, he, and he may say, all his Roman Catholic neighbours, are placed in great fear and dread of receiving injury to their persons and properties, and that they are very much alarmed and agitated in consequence, and unless some vigorous and effective means be taken to preserve the peace of the country, it is impossible to say to what fearful results they may lead.

Informant bound in the sum of 50*l.* to attend at the next Assizes, Armagh.

John Hagan.

Taken, sworn and acknowledged before me, at Lurgan, this 24th May 1835,

William John Hancock.

Counties of Armagh and Down, to wit. } The informations of John Steele, constable of police, stationed at Lurgan, in said county of Armagh, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for the said counties, saith, That on the evening of Saturday the 23d May instant, he and two other policemen went to the house of Terence Sheeky, of Ballygargan, for the purpose of executing a warrant obtained on information lodged by said Terence Sheeky against certain persons in that neighbourhood who had attacked his house and done injury thereto, on the Friday night week previous: Saith, that he thinks said Terence Sheeky's house is between three and four miles distant from Lurgan, and that the party of police left Lurgan before six o'clock in the evening: Saith, that on arriving within a mile or so of Sheeky's house he observed a stir among the country people, as if they were running from one house to another, in informant's opinion, to give an alarm of the approach of the police party; informant was told by constable Munn, of Gilford, that he had observed the same appearance on his side of the road, leading to Sheeky's house, he having left Gilford to meet informant at Sheeky's house for the same purpose; informant also heard some shots fired at some distance; informant did not succeed in arresting any of the persons against whom the warrants were issued, and was informed by said Terence Sheeky that they would not be got, as he was of opinion that they had all left their homes.

Informant and his party of police remained about that place for about an hour, and then left it to return to Lurgan; on the road he heard drums beating and fifes playing, as if in the rear; and on arriving at Calvert's public-house, or near to it, they there met a number of persons, there might be 20 or more, having a drum and fife playing on the public road; they did not make any observations to the party of police, but kept beating the drum and playing the fife, and passed on; informant is of opinion, that there was a greater stir and more people going backwards and forwards than is usual on ordinary occasions, but no attempt was made to obstruct or molest the party of police by them; informant heard the drum beating and fife playing, for some time after they had passed the said crowd.

Informant bound in 20*l.* to attend at the next Armagh Assizes.

John Steele, Constable of Police.

Taken, sworn and acknowledged before me, at Lurgan, this 25th day of May 1835,

Will. John Hancock.

Counties of Armagh and Down, to wit. } The informations of James Watson, of the townland of Knocknamuckley, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for the said counties, saith, That he keeps a public-house in Knocknamuckley; recollects Friday the 15th inst., had been in Lurgan market that day; shortly after his return, John Doak, James Friars and William Martin came in and had some drink together; in about half an hour afterwards, his wife came and told informant that four other men, namely, Charles Campbell, Laurence Fox, John M'Ardell and James M'Ardell were in the house; Charles Campbell asked for a tumbler of egg nogg; he called informant a liar twice; Laurence Fox said to James Friars that he had his pipe; Friars denied it; Fox then said he would trail it out of him; Laurence Fox gripped hold of James Friars and pulled him down into the floor, they all fell together into the floor. Informant saw either John M'Ardell or James M'Ardell strike James Friars with a stick; they then ran away out of informant's house; in the struggle, the hat fell off William Martin's head, it was picked up by some of the other party and carried off on purpose: Informant saith, that John Hughes and James Hughes, both of Ballinagarrick, were also in the house drinking, and when the affray began, they assisted Friars' party and helped the weak side; the affray commenced by Fox pulling at his pipe from Friars and taking it from him: Saith, that he was in Lurgan on Friday the 22d May instant; returned home about six o'clock in the evening; heard drums beating and fifes playing; the party with the drums and fifes passed informant's house; he heard shouting; heard no shots fired; he did not look out, and he does not know who the party were, or any one in that crowd; he purposely avoided identifying any one that was in that crowd on that night; Thomas Poge was brought in by informant off the road; John Hughes and John Martin were also brought in along with informant, they all remained in informant's house until the crowd passed by, and thinks they staid three quarters of an hour after; the drums went past whilst they were in the house: Informant, on his oath, saith, that he does not know a single man or person in the crowd on that night, and that Thomas Poge, John Hughes and

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and John Martin were the only persons that were drinking or were in his house on that night. Shots might have been fired by the crowd without him hearing them; he wished to keep himself free from any bother, and purposely abstained from seeing or knowing any thing of what took place.

Informant bound in the sum of 50*l.* to attend at the next Assizes at Armagh.

James Watson.

Taken, sworn and acknowledged before me, at Lurgan, this 29th day of May 1835,

Will. John Hancock.

Counties of Armagh and Down, to wit. } The informations of Patrick Murphy, of Knocknamuckley, in the county of Armagh, taken upon oath before William John Hancock, Esq., one of His Majesty's Justices of the Peace for the said counties: Saith, that he recollects Friday night, the 22d instant; heard a drum beating; saw different people on the road; saw John Hagan, heard him speaking to some person and say, "that will do, my lad, I know you;" the person replied, "to hell with you, we don't matter you." Informant heard a great many stones thrown from the party beating the drum; heard also a great deal of shouting, and heard shots fired; heard the party shout out, "to hell with the Pope," and "Terry Morgan," and "to hell with the Papishes;" there was a good number assembled; informant was afraid of being hit with the stones, and was a good deal alarmed; informant's sister and two boys had to run from the stones that were thrown, and only for a hedge that protected them, he thinks they could not have escaped receiving injury. John Hagan and his wife came into informant's close; they appeared to have been attacked by the party, and John Hagan told informant he had been attacked by the mob, and was obliged to take shelter. It is frequently the case in that part of the country for mobs to assemble, beating drums and firing shots, and there is a good deal of alarm created in consequence of such conduct. Informant cannot identify any of the persons composing the mob on that night.

Informant bound in 50*l.* to attend at the next Armagh Assizes.

Patrick Murphy.

Taken, sworn and acknowledged before me, at Lurgan, this 29th day of May 1835,

Will. John Hancock.

Counties of Armagh and Down, to wit. } The informations of Patrick Hagan, of Knocknamuckly, in said county of Armagh, taken upon oath before William John Hancock, esq., one of his Majesty's Justices of the Peace for the said counties.

Saith, that he recollects Friday night, the 22d instant; he was in the Lonen, alongside John Hagan's house; informant had heard a shot fired; saw a party of people go past the Lonen; they had two drums with them; they were beating them and playing the fife; there was a good many assembled together in that crowd; one boy behind the crowd asked informant what he was looking at; informant replied, he was looking at the fun; that boy's name is James Hughes, to the best of his knowledge, he lives in Ballinagarrick; there was a great cheer raised by the mob; when they went by a piece, they shouted "No pope," and "To hell with the pope;" informant cannot identify any of the persons who were in the mob on that night.

Informant bound in 50*l.* to attend at the next Armagh Assizes.

Patrick Hagan.

Taken, sworn and acknowledged before me at Lurgan, this 29th May 1835,

William John Hancock.

Counties of Armagh and Down, to wit. } The informations of John Sheeky, of Ballygargan, in the county of Armagh, taken upon oath before William John Hancock, esq., one of His Majesty's Justices of the Peace for the said counties.

Saith, that he was returning home on Friday night, the 22d instant; heard drums beating and met people running; heard shouting; informant purposely avoided meeting the party that were shouting and beating the drum; saw people running towards the drum beating, but could not identify any of them; he met some people having something like shovels; he saw a person of the name of Campbell, he lives at a place called Knock; he might have been going home or going to join the drum-beating party, as the road would take him to either.

Informant bound in 50*l.* to attend the next Armagh Assizes.

John Sheeky.

Taken, sworn and acknowledged before me, at Lurgan, this 29th May 1835,

William John Hancock.

Counties of Armagh and Down, to wit. } The informations of Laurence Fox, of Ballygargan, in the county of Armagh, taken upon oath before William John Hancock, esq., one of His Majesty's Justices of the Peace for the said counties.

Saith, that on the night of Friday the 15th May instant, he went into James Watson's public-house; he had drank a glass of whiskey in John Montgomery's public-house in Mullahead; David Calvert of Ballinagarrick, Thomas Laughlin of Moyallon, and John M'Carroll of Ballygargan, were with him in Montgomery's house; he was hardly an hour there;

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there; John M'Carroll, James M'Carroll and Charles Campbell went into Watson's together, it might be between nine and ten o'clock; informant was along with them in Watson's; there were eggs called for; James Watson the publican was in the house; Dominick M'Conville was there too; informant lent a pipe to William Martin; Martin gave it to James Friars; a row took place in the house; informant was beat out of the house by the party in the house, and he and those that were in his company were obliged to make off as fast as they could.

Informant bound in 20*l.* to attend at the next Assizes at Armagh.

his
Laurence X *Fox.*
mark.

Taken, sworn and acknowledged before me at Lurgan, this 29th day of May 1835,
William John Hancock.

Counties of Armagh and Down, to wit. } The examination of John Martin, of Knocknamuckly, in the said county of Armagh, charged upon the oath of John Hagan, with having assembled, along with other persons, on the night of Friday the 22d May inst. in a riotous and tumultuous manner, having drums, and fifes playing party tunes, firing shots, and uttering expressions, and having attacked said John Hagan, assaulted him and thrown stones at him on the public road in Knocknamuckly:

States, that he was not near John Hagan on that night, and did not see him on the road that night; he was not beating a drum that night, he was in Lurgan about five o'clock that evening; went home along with Greenaway, Patton, and Johnny Cairns, went into the townland of Knocknamuckly with them and parted with them at Willy Davison's. The sun was not set at that time; left Willy Davison's and went home; his wife was at home; saw his father that night; remained a bit at home; took some meat, went out, went to James Watson's house and drank some beer there along with old John Hughes; heard drums—had come a bit along the road with the drums; heard two shots fired; heard the country say it was Terry Sheeky's men fired the shots. Examinant beat no drum that night at all. There was no other person in Watson's house that night except Watson, his wife, John Hughes, and examinant. George England and James Weir went into Watson's house; they came out and went with examinant to his own house.

his
John X *Martin.*
mark.

Taken and acknowledged before me this 29th May 1835,

Truly read by *W. B. Morris.* *William John Hancock.*

Counties of Armagh and Down, to wit. } The examination of John England, of the townland of Knock, in said county of Armagh, charged upon the oath of John Hagan, with having assembled along with others, on the night of Friday the 22d May inst. in a riotous and tumultuous manner, having drums and fifes, playing party tunes, firing shots and uttering expressions; and having attacked said John Hagan, assaulted him and thrown stones at him on the public road in Knocknamuckly. States, that he was returning from his work on that night; he met a few boys on the road, he was playing a fife; there was drums also, and there had been shouting; when they came to Terence Skeeky's, there was a party of men there; he does not know what they were about; passed that party, and played on down to John Hagan's; John Hagan stabbed at examinant with a knife; he had attempted to pull the fife out of examinant's mouth first, and said he would make him quit these systems, and stop this; he then wounded examinant in his hand with a knife; John Hagan then came on alongside with the crowd, and shoved on and walked on till he shoved examinant into the ditch; when he came up to James Murphy's, Hagan said he would swear against them; the party then went on playing away, and saw no more of Hagan that night.

Samuel Friars can tell that he saw John Hagan jundy examinant into the slough; examinant cannot say whether any body else saw Hagan stab him with a knife or not; examinant in the mean time cannot state the name of any other person that was present at the jundy in the ditch.

John England.

Taken and acknowledged before me at Lurgan, this 29th day of May 1835,
William John Hancock.

Counties of Armagh and Down, to wit. } The examination of James Friars, charged before William John Hancock, esquire, one of His Majesty's Justices of the Peace for said counties, upon the oath of Terence Sheeky, of Ballygargan, in said county of Armagh, with having, along with other persons, assembled at his house on the night of Friday the 15th May inst. in a riotous and tumultuous manner; broke several panes of glass in one of his windows, and injured yarn in his loom, &c. States that he was at Terence Sheeky's house on that night, he went there to look for a boy's hat (William Martin's hat); he went to look if the boy was in the house that took the hat, and if the hat was there; he came out of the house and went away; neither said Terence Sheeky ill, nor done him ill. Believes that Terence Sheeky's windows were broken on that night. Examinant has nothing further to say, and knows nothing more about it.

James Friars.

Taken, sworn and acknowledged before me at Lurgan, this 29th May 1835,
William John Hancock.

8869. Was there a prosecution in consequence of this proceeding?—Yes.

8870. The provoking conduct arose out of the drum beating connected with the system of the Orange Lodges?—I have got the letter, that they were convicted at Armagh; the Orangemen were convicted.

8871. In your letter to Mr. Stanley, you stated that Mr. Lloyd, the Captain of the Killyman yeomanry, headed the party who destroyed the houses on their return, and Colonel Verner followed in the rear and stood by while the Orangemen were wrecking Maghery, were you present?—No, indeed I was not.

8872. On what authority did you make that statement in your letter to Mr. Stanley?—On the evidence taken before the magistrates; and I collected from the people of Maghery at the time all the information I could.

8873. Were there not two investigations held besides the trial in both cases?—I do not call the first an investigation; I think it was completely *ex parte*.

8874. Where was the first held?—At Maghery, in the village.

8875. What investigation was it; which do you think was partial?—The first.

8876. Before the magistrates?—Yes, at Maghery; Captain Atkinson is an Orangeman; Colonel Verner will not deny he is an Orangeman; Colonel Blacker will deny he is an Orangeman; Mr. Woodhouse will not deny he is an Orangeman; Mr. Hardy will not deny he is an Orangeman; indeed he has since been suspended by Lord Chancellor Sugden for associating with the Orangemen at Kinnigo near Annahagh, where the sixteen houses of Catholics were burned last January, as you may find by the report of the Armagh investigation. I believe, with the exception of myself, and with the exception of Mr. Algeo, the other magistrates there were Orangemen.

8877-8. At that meeting Colonel Blacker was deputed to make a report of the transaction, was he not?—I think so, by the Chairman, Mr. Atkinson.

8879. That was your understanding?—Yes.

8880. You did not place much confidence in the report that would be made, therefore you thought it necessary to make one of your own?—Yes.

8881. Did you ever see that one which Colonel Blacker made?—No; it was never submitted to any meeting of magistrates to which I was summoned.

8882. Are you aware that he in his report recommended that stronger measures should be taken for the discovery of the offenders than the Government took on the recommendation of Mr. Perrin?—No, I am not.

8883. When there are so many and such a description of the persons implicated, it is scarcely to be expected all will be found proof against a good reward and the promise of pardon, in prosecuting to conviction, or in giving information which may lead to conviction, a reward by Government; you are not aware that was in his recommendation to Government?—No; I never knew a reward do the least good, I never knew a person convicted of outrage of that kind, no matter how small or how great the reward might be, the Orangemen will not peach for money; nothing will discover it except very active means and finding some individuals who are not afraid to come forward, and getting better magistrates and police.

8884. Are you aware if these recommendations were adopted by Government on Colonel Blacker's recommendation?—The only thing I know is that a prosecution was instituted against the Orangemen, and a prosecution against the Catholics, and the Catholics were convicted, the Orangemen were acquitted.

8885. You are not aware then that Colonel Blacker expresses the opinion of the magistrates that the utmost exertions should be made to detect the perpetrators of that outrage?—I am not.

8886. But in the report that was made at the time you state you had not sufficient confidence in the magistrates, that you had so little confidence in the report made by the magistrates, that you felt yourself bound to send a report of your own independent of the other magistrates?—Yes, certainly.

8887. Composed as that bench of magistrates was, were the Catholic people of Maghery disposed to place any confidence in them, or to go and give evidence so as to have a fair and full investigation; was it likely to take place?—No, it was almost impossible to get hold of any one of the Catholics to bring forward. They had no confidence in the magistrates; I do not think any stronger measures could have been recommended by Colonel Blacker than that which Mr. Perrin recommends, namely, the prosecution in the King's Bench of Colonel Verner.

8888. But as to the perpetrators?—No, not exactly. It really come to this: the difficulty of getting hold of persons is very great, therefore a magistrate ought either to arrest some few of them at the instant by every force he could, and no one

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can doubt Colonel Verner had sufficient force to make an arrest. I should be sorry to throw out insinuations against my brother magistrates, but it is impossible to conceal from oneself that where there are a number of party magistrates, the Catholic population cannot have confidence in them.

8889. The second investigation was held at Lurgan, a distance of 12 or 13 miles from the several persons to be examined?—Yes, it was.

8890. Would not Portadown have been more central?—I do not know why Lurgan was fixed upon; I do not think Portadown would be much more convenient, there is no good inn in Portadown. There is a very excellent inn at Lurgan; I believe the gentlemen commissioners like to be accommodated comfortably.

8891. What distance is Portadown?—About a mile or so difference; they go a different road.

8892. Were not the magistrates instructed to attend the investigation, to assist the King's counsel, and to use endeavours to ascertain the truth with impartiality towards the different prisoners?—Certainly; I should think so.

8893. Was not this with a view to elicit the truth, and not to be as partisans on either side?—I should suppose so.

8894. Did you subpœna those witnesses only who were supposed to have evidence to offer as to the outrage on the Monday, without reference to that which took place on the Saturday?—I summoned every one whom Mr. Perrin, the King's Counsel, directed us to summon; we did not summon any person without first submitting a list to Mr. Perrin of the persons to be examined.

8895. Did you exert yourselves to discover who were the persons who attacked the party as they passed through Maghery on the preceding Saturday?—I did.

8896. Have you not heard, and do you not believe, the reason why they were permitted to pass unmolested on the Friday was because it was supposed they were going to have a Union Lodge?—I suppose there may have been some feeling of that kind.

8897. Was it?—I do not know any thing about their motives, but I understood, at least I have heard, that the object of the meeting was to get the Catholics to join them in some shape or way, and it was to be discussed at this black sitting; there was a regular meeting to discuss what Protestants should do; they talked of taking the recommendation of Tommy Downshire, the Protestants and Catholics joining for their own purpose; I believe that.

8898. Do you not believe that the cause of their being attacked on the Saturday, was because it was then discovered that they had been to an Orange Lodge?—No, that did not come out; and I do not see how the result of the lodge could have transpired, for no Catholics were admitted. I think it more arose from the Orangemen having drank too much whiskey; if they had gone sober home as they came, there would have been no outrage.

8899. Has not Maghery always borne the character of a riotous and disorderly place, and are not the inhabitants a disorderly set of people?—Not from my experience as a magistrate.

8900. Did you examine any witness at Lurgan previously to examination before the magistrates and the King's Counsel?—I may have examined some, but only to save the time and trouble of bringing unnecessary witnesses.

8901. Did you instruct them what to say?—Certainly not.

8902. Was a brief made out by you, or by your orders, which was laid before the King's Counsel, from which the witnesses were examined?—No, I may have given Mr. Perrin information to assist him, but no regular brief.

8903. Did you threaten any of the witnesses because they refused to answer your questions?—Never.

8904. Did you tell the King's Counsel not to call certain persons because you disapproved of the evidence they were about to give, but who were afterwards called and examined?—I did not.

8905. You said four men were convicted for beating others on Saturday, why were not more tried?—I cannot tell.

8906. Were not others identified besides?—It may be so, but I do not recollect.

8907. You have not heard others were identified, and that they left the country till after the assizes?—It may have been done, as many persons left the country on both sides.

8908. And that they returned, and have not subsequently been put on their trials?—Yes; after the assizes at Armagh, where one party was acquitted and another convicted, there was a total cessation of all the prosecutions on both sides.

8909. Was

8909. Was it not proved a man of the name of Kelly died in consequence of the beating on Saturday?—Not that I am aware of.

8910. Are you aware that a person of the name of Cardwell was confined in Armagh gaol for three weeks, for being concerned in the Maghery business?—He was arrested on a warrant.

8911. And bail was refused?—Yes.

8912. Was he not liberated, it appearing he had not been in the county of Armagh that day?—I am not aware how it was; I did not take the information.

8913. Was it not proved that James Hancock was thatching his house that day, and did not leave home all day, the distance of two miles?—If you will allow me, I refer to the evidence; I am not aware, but I think some evidence of the kind was offered to the jury.

8914. Do you recollect if it was distinctly proved that two or more of the persons were not within a mile of the village that day?—A great deal of evidence was offered on behalf of the prisoners.

8915. Do you know, or have you heard, that Delop, who was charged with having been at Maghery, was at Loughall, two miles off?—I do not; I do not think the jury acquitted on the *alibi* defences, but they relied more on the evidence of Colonel Verner, and acted more on that than on any *alibi* evidence produced.

8916. That must be your opinion?—I think I had it from some of the jury afterwards.

8917. You, of course, have heard of the disgraceful occurrence which took place at Belfast on the 12th of July last?—Yes, I have.

8918. Are you aware of the fact, that the authorities of the Orange Society there immediately afterwards instituted the fullest inquiry into the circumstances?—I am not.

8919. You are not aware of the result of that investigation?—I saw the resolutions of the Orangemen, but I do not believe one word of them. Would you wish me to believe that the Catholics or anti-Orange party could first put up a Green arch, then an Orange arch? when required, they take down the Green one, and resist the authorities in taking down the Orange one. Such resolutions are truly absurd.

8920. As to your belief in the existence of the Riband Society, what is your opinion on that subject; do you believe such a society exists in the north of Ireland, with which you are acquainted, as the Riband Society?—I know nothing of it in my own district, but in the county of Down, there was an illegal association, and there have been processions at Downpatrick; and on one occasion I think a Catholic clergyman and his curate were shut out of their chapel for some time because they would not give the rites of the church to any who belonged to an illegal society. That is the only ground I have for any belief on the subject.

8921. Was it under authority—a priest could not do it without authority?—It was an order from all the bishops, that no clergyman was to give the rites of the church to any person who belonged to any society, especially an illegal society.

8922. This order was executed by a priest in his parish; he refused to give the rites of religion to his congregation, because they did belong to it?—Yes; they closed the chapel doors against him; and I believe it required all the influence which the bishop, Dr. Crawley, possessed, to reconcile the people; I am not quite sure that he did not remove the clergyman.

8923. What occurred at Lurgan and Portadown last July?—I shall read the informations taken at Lurgan, and a letter I had from Portadown.

[*The Informations put in and read.*]

County of Armagh, to wit. } The informations of Thomas Sloan, constable of police, of Lurgan, in said county, taken on oath before John White, Esquire, one of His Majesty's justices of the peace for said county: Saith, that he is stationed at Lurgan, and that on Saturday 11th July 1835, nothing unusual or particular occurred there relative to any party exhibitions. That on the morning of Sunday the 12th July, on leaving the police barracks, he observed four Orange flags, one on each angle of the tower or spire of the parish church in Lurgan; on proceeding through said town on same day, he counted five arches or ropes decorated with orange and purple lilies, suspended across the principal streets; saw a great many men walking through the town, not in procession, but having orange lilies or ribands attached to some part of their dress. Informant did not go to church on Sunday 12th instant, neither did any of the other Lurgan policemen, as he had advised them not to go that day, lest something might occur during Divine Service which might require the presence of the police. About a quarter past one on the morning of Monday 13th instant, informant heard the church bell commencing to ring, and it continued to

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to ring from that hour until the evening of the same day about eight o'clock, with very little cessation; a great deal of firing of guns, pistols, &c., commenced about the same time, and was kept up the whole night or morning, and throughout the whole day: Saith, that about half past ten o'clock on same day, he heard drums beating, and fifes playing party tunes in the street; and he and another policeman of the name of William Duffy, left the barrack to see what it was; informant saw a party of Orangemen marching in procession, consisting of about fifty men, besides a crowd following; they had three stands of party colours; they marched round the rear of the church and up through the principal street of the town; informant could not identify any of the men in that procession at the time he first saw it, owing to the distance it was off from the police barrack; however, he and said William Duffy followed the procession to the far end of the town, called the First Flush Bridge; but not being able to overtake it, they returned to the centre of the town, and remained there for a short time; went on to the police barracks; and soon after he and said Duffy, and another sub-constable, namely, Thomas Steele, returned to the centre of the town, where they remained for about an hour; during which informant saw three different flags suspended from the windows of three public-houses; (informant here wishes it to be known, that being a stranger in the town, and stationed in it only for about a month, he is not sufficiently well acquainted with the names of the publicans, and therefore he cannot swear positively to the names of those publicans from whose windows the flags were suspended;) however, he is quite certain that a party flag was exhibited out of a window in the house of John M'Comb, publican. About eleven o'clock the procession which had gone out of town about an hour before returned; the numbers were greatly increased; and there were then either five or six stands of colours that he had seen hanging out of the public-house windows; informant and the other two policemen then went directly to the barrack, to be there ready to identify any of the party they might know forming part of the procession, as it would pass by: Saith, that on passing the barrack, the Orangemen were not in regular procession; having, as informant is of opinion, walked promiscuously together, for the purpose of confusing the police in their endeavours to identify them; on passing the barrack informant counted either eight or nine stand of colours in the procession, also three large drums, two small ones and several fifes, playing as before their party tunes, and almost every person in the procession had some orange or purple symbol exhibited on their persons; the only person that informant could identify, and knew personally by his name, was Andrew Halliday, of Lurgan, grocer; he was one of the persons who headed the procession, and he was decorated with orange and purple colours, having a collar round his neck and orange ribands on his hat; informant thinks he will be able at any future period to identify the persons of others who marched in that procession, but being a stranger he is unacquainted with their names; informant and the other policemen remained in their barrack; the procession returned to Lurgan about five o'clock in the evening, marching in regular order, two men deep, with music as before, having five men, one of them, the said Halliday, at their head, walking arm-and-arm; there were also nine stands of colours in the procession; they marched past the police barrack up into the town, and informant thinks there might have been then well unto a hundred men in procession, besides a great number following and walking alongside, the music all the time playing party tunes; the town was in a state of commotion the whole day; there was a great deal of firing, shouting, &c., but no actual breach of the peace took place, that he saw. Informant further saith, that on the evening of Tuesday, 14th instant, he saw a party of between ten and fifteen, with a drum and fife, march through the town of Lurgan in procession, playing party tunes; thinks that party was returning from the neighbourhood of Portadown, where informant heard there had been a sham fight; informant himself heard the report of gun firing as he was on his return from Portadown on that day.

Thomas Sloan.

Sworn before me at Armagh, this 22d day of July 1835,

John White.

County of Armagh, to wit. } The informations of Thomas Steele, sub-constable of police, stationed at Lurgan, in said county, taken on oath before John White, esquire, one of His Majesty's Justices of the Peace for said county, saith, That on the evening of Saturday, 11th July 1835, he heard one or two shots fired by boys in the town of Lurgan; that about a quarter before nine that night he saw four orange flags hoisted on the tower of Lurgan church, but he does not know who the persons were that hoisted said flags; the flags remained thereon all day. Sunday and Monday informant saw an unusual number of men walking in the town, having orange lilies attached to their persons, both before and after Divine Service, on Sunday 12th instant, but he did not see any procession of Orangemen on that day at all; he also saw six arches or ropes suspended across the streets, having orange and purple and other colours fastened thereon; he saw two in Castle-lane, one in Watson's-row, one across the main street, attached to a window in a house of James Young in the Middle-row at one end, and the other end fastened in the window of Macky's house opposite. There was also another from Hugh Montgomery's house across to one Heyland's, a shoemaker on the other side of the street, and one fastened at one end to one of the Mall trees. Informant saith, that the church bell began to ring about a quarter past one on the morning of Monday 13th instant, and it continued ringing, with very little intermission, until nine in the evening of same day; he heard a great deal of firing of pistols, &c., which commenced immediately after the church bell had begun to ring, and at same time a drum

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and fife were playing, and continued until about five, A.M. In the course of that day (Monday, 13th) he saw a great number of boys firing squibs, tin pistols, &c. from the hill in front of the church door, about ten o'clock A.M. Informant saw a procession of Orangemen coming from the rear of the church; there were two banners in the procession, accompanied by a drum and fife, playing what are usually termed party tunes; there might have been about thirty men in procession, together with a crowd following and accompanying. Informant could not identify any of the persons composing the procession at that time: Saith, that before he saw the procession at all, he saw two orange-coloured flags suspended from a window in the house of Mrs. Emerson, publican, at the rear of the church. Informant did not follow the procession immediately after it had passed, but he went up the town alone; soon after he there saw two party-coloured flags hanging out of Mrs. Belshaw's public-house; saw one of like description hanging out of Miss Ross's public-house, and another from Mrs. Falloon's window. Informant joined constable Sloan and sub-constable Duffy previous to the return of the procession; they all remained at the market-place until it went past. Informant saw the procession coming up the town, with drums and fifes playing party tunes, and having either five or six stands of flags along with them. Informant saw the two flags brought from Mrs. Belshaw's house, and join in the procession: Saith, that at the head of the procession he, this informant, saw Andrew Halliday, Thomas West (who was tried in 1833 for marching in a similar procession), and a man of the name of Allen, whose christian name informant is not sure of, walking arm-in-arm, all decorated with orange symbols. Informant could not identify any others at that time, although he knew their persons; he did not know their names. Informant and the other policemen then went to their barrack, and the procession went on round the church playing party tunes as before, and came down past the barrack, at which time there were at least eight stands of colours. The procession was not altogether regularly formed when it was passing the barracks; they halted for a little shortly after, and then went on towards Portadown. Informant did not identify any more at that time until their return about five in the evening, marching in regular procession two men deep, and he thinks there were then nine or ten stands of colours, and several drums and fifes playing party tunes as the procession went past the barrack. Informant fully identified the said A. Halliday, Thomas West, Allen, and another man whose name he does not know, heading the procession; informant also saw in that procession the following persons wearing orange colours: James Douglass, George M'Kinley, George Torrington, Charles M'Neil, Francis Young, William Mercer, Thomas Moss, Thomas Bingham, William Mahaffy, William Pepper and Thomas Gorman; he thinks said William Mercer carried a flag. Informant saw several other persons in the procession whose persons he knows, but not their names. The procession passed on into town, and was accompanied and followed by a great number; the firing of shots and ringing of church bell continued throughout the evening, as it had done the whole of the fore part of the day. Informant did not see any riot or actual breach of the peace take place; there was a great stir of people passing and repassing through the town the greater part of the day and evening. On the evening of Tuesday 14th instant, informant saw a party with a drum and fife playing party tunes, and a crowd going through the town; he heard they were on their return from a sham fight which had taken place near Portadown on that day. He does not know any of their persons.

Thomas Steele.

Sworn before me, at Armagh, this 22d day of July 1835,

J. White.

County of Armagh, to wit. } The informations of William Duffy, sub-constable of police, stationed at Lurgan, taken on oath before John White, esquire, one of His Majesty's justices of the peace for said county, saith, That on the morning of Sunday, 12 July 1835, he observed four Orange flags on the steeple of Lurgan church; he also observed several Orange arches, or ropes with Orange and purple and other colours attached to them, in several parts of the town, but he cannot state exactly the names of the occupiers of the houses from whence same were suspended; he saw no procession on that day, but did see a great many people decorated with Orange lilies; early on the morning of Monday 13th instant he heard the church bell ringing and some shots fired. About 10 o'clock A.M. a procession of Orangemen appeared on the street of Lurgan, coming from towards the rear of the church; the party had Orange flags, also a drum and fife playing; the procession passed on into the centre of the town. Informant, accompanied by constable Sloan, followed the procession on through the town as far as the first flush bridge, for the purpose of identifying any of the persons they might know in it, and to calculate their numbers, and such like. Informant at that time was unable to identify any of the party, and he and said Sloan returned to the centre of the town. Informant saw two party-coloured flags suspended from the windows of two public-houses. On the return of the procession about an hour afterwards, informant saw Halliday at the head of the procession (along with three others, whom he does not know), he was decorated with Orange symbols and followed by a procession, having with them flags and drums and fifes, and playing tunes as before; the procession went up through the town. About five in the evening the procession returned as if from Portadown. Informant at that time was in the barrack; he saw the said Halliday at the head of the procession; he also saw William Mercer, Francis Young and Thomas Moss, all in the procession, wearing Orange colours, and likewise several other

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other persons whose names he does not know, but whose persons he thinks he could identify at a future period. The procession passed on into the town; he thinks there were eight or nine flags altogether in procession; several fifes and drums playing the usual tunes, and a great crowd accompanying and following it.

On the evening of Tuesday 14th instant, a party of men, having a drum and fife with them, passed through Lurgan; a crowd was with them, but informant knew none of their persons or names.

Sworn before me, at Armagh,
this 22d day of July 1835,
J. White.

William Duffy.
Having been first truly read by me,
J. Hancock.

[*The Letter from Portadown put in and read.*]

Dear Sir, Portadown, 21 July 1835.

For some time past the peaceable inhabitants of the parish of Drumcree have been insulted and outraged by large bodies of Orangemen parading the highways, playing party tunes, firing shots, and using the most opprobrious epithets they could invent. On the morning of the 1st instant, four small flags were placed on the steeple of the church, and the bell tolled occasionally during the day; a man named Kalter was on his death-bed quite contiguous to the church; his wife in a suppliant manner requested of a person, whom she met at the entrance of the church, to prevent the tolling of the bell; the reply she received was, that if all the priests in hell and out of hell were to make the request, it would not be acceded to; she said she would go to Mr. Woodhouse, J. P.; the person told her, she need not, as he left home on that day, lest she, or the like of her, should trouble him. In the evening the Orangemen flocked into town from the adjacent districts, lighted a bonfire, beat drums, played party tunes and fired shots the greater part of the night; bonfires blazed on almost all the surrounding hills; I observed a large one only a few perches from the hall door of Mr. Disney, the Protestant curate of Drumcree. Shortly after this, a few Catholics waited on Mr. Woodhouse, to know if he intended to be at home on the 12th; he told them he had written to the executive for instructions, and that he would strictly adhere to whatever orders would be sent. On the 11th, 16 or 18 of the 2d dragoon guards, under the command of Cornet Knox, and 50 or 60 infantry, of the 33d, under the command of officer Reid, arrived in town, some of them wearing Orange lilies. On the night of the 11th, or morning of the 12th, the Orangemen placed an arch over Woodhouse-street, and two flags were exposed from public-houses, and shots were fired almost continually during this and the two succeeding days. A body of Orangemen, wearing Orange sashes, and about 50 in number, marched through town on the 12th without any hindrance, and proceeded to Drumcree church, passing by the Catholic chapel (though it was a considerable distance out of their way). At half-past 1 o'clock P. M. the flags and arch were removed, but shortly after they were re-erected, and remained so until Tuesday morning. On Sunday night, Monday and Monday night, and a great part of Tuesday, the peaceable inhabitants of the town were alarmed and terrified by the frequent discharge of musketry, accompanied by the most menacing language. The Orangemen flocked into town on the morning of the 13th; the cavalry patrolled the streets, but did not attempt to arrest any of those persons who wore colours. Between 12 and 1 o'clock Mr. Joseph Atkinson, J. P. arrived in town, and I am informed by those in whom I can confide, that he addressed the Orangemen from his gig, in the back of which an Orange lily was stuck; he told them he had supported their cause for the last 50 years; wished to know if any of them remembered the Diamond fight; stated that he had been there; said they should support their arch, and that it should remain untouched, as the military had no business with it; after this he proceeded as far as the front of the church (where a great number of the Orangemen were collected); after consulting with a few of them for some time, he drove out of town by the Armagh road. Shortly after, a large body of Orangemen, wearing sashes, beating drums, and carrying no less than 10 banners, entered the town, Mr. Atkinson driving his gig close in the rear. Before this formidable body arrived at Woodhouse-street, Mr. Woodhouse and the cavalry stopped them, but did not arrest any of them, neither did they take their drums or colours; after this repulse, the Orangemen returned up street, and deposited their flags in different public-houses, out of the windows of which they were exposed, and out of some of which several shots were fired. About half-past 2 o'clock P. M. a great many of them proceeded out of town by the Loughall road, with unfurled banners; about 4 o'clock, P. M. a portion of this body, decorated with the insignia of their order, and having with them seven flags, marched to the centre of the town without meeting any obstruction from the magistrates, military or police. On the 14th a sham battle was fought at Blacker's-mill, convenient to the colonel's residence; a number of Orangemen, wearing sashes and carrying two flags, marched through Portadown to the scene of action. A curtailed statement of these facts has been embodied in a memorial to Earl Mulgrave, requesting him to institute an investigation, and to appoint a stipendiary magistrate, as the people do not place confidence in the local resident magistracy since your departure. George Blacker, of Cosheny, a tenant of Mr. Brownlow's, was severely beaten by a body of Orangemen, armed with deadly weapons, hatchets, &c.; the only provocation was, not shouting "Verner for ever," when demanded.

With best wishes for your welfare, I have the honour to remain, &c.

William John Hancock, Esq.

Sabbati, 1° *die Augusti*, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Lieut.-Colonel *William Blacker*, called in; and Examined.

Lieut.-Col. *William Blacker.*

1 August 1835.

8924. YOU are lieutenant-colonel of the Armagh militia?—Yes.

8925. Are you also deputy-lieutenant of the county of Armagh?—Not at present; I was.

8926. Have you also held a commission of the peace in the county of Armagh for several years?—I have.

8927. Did you also fill the office of deputy vice treasurer of Ireland for some time?—For 13 years.

8928. Are you a member of the Orange Society?—I am.

8929. How long have you been so?—It wants about six weeks of 40 years.

8930. You of course then are able to give the Committee some account of its origin?—I think I am.

8931. Can you do so from hearsay, or from personal knowledge?—Both.

8932. From whom have you chiefly acquired your information?—My principal information was derived from a very respectable old gentleman in the county of Armagh, Captain Atkinson of Crow-hill, who took a principal part in the transaction that led to the origin of the Orangemen; and also from several others of a lower rank in society, who were mixed up with these transactions.

8933. Do you consider the information which you received from those persons to be authentic?—Perfectly so.

8934. Will you state the amount of it?—The amount of the information which I received at different times was, that a large body of persons called Defenders had made an irruption into a district of the county of Armagh, near Loughgall; the Protestants of that district assembled to oppose their progress—I believe their principal intention was to disarm the district—the Protestants assembled to oppose them, and there came in to their assistance Protestants from other districts of the country, particularly from the neighbourhood in which I reside.

8935. What neighbourhood is that?—The neighbourhood of Portadown.

8936. Is this information derived from others?—Yes; it is derived from the authentic sources above mentioned.

8937. Can you state the date of it?—Monday was the 21st, the great day, and I think it began about the Wednesday before in September 1795. The parties skirmished, if I may use the expression, for a day or two without much harm being done. Mr. Atkinson on one side, and the priest of the parish on the other, did their best to reconcile matters, and thought they had succeeded, as the Defenders had engaged on their part to go away and the Protestants to return to their homes. I believe both parties were sincere at that time in their wish to separate, and that they were going home to their respective homes. At that time, as I understand, a large body of Defenders not belonging to the county of Armagh, but assembled from Louth, Monaghan, and I believe Cavan and Tyrone, came down and were much disappointed at finding a truce of this kind made, and were determined not to go home without something to repay them for the trouble of their march. In consequence, they made an attack upon the house of a man named Winter, at a place called the Diamond, it is a meeting of cross-roads where there are only three or four houses. Word was brought to the Protestants who were on their return home of what had taken place. They returned to the spot, attacked the Defenders and killed a number of them.

8938. Were you yourself at all mixed up with the transactions of the Diamond?—I was.

8939. To what extent?—I was a very young lad at the time; it so happened that my father was making some alterations in his house, which occasioned a quantity of lead to be removed from the roof; a carpenter's apprentice and myself took possession of a considerable quantity of this lead, ran it into bullets, and had it conveyed

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veyed to the persons of my neighbourhood that were going to fight the battle of the Diamond.

8940. Were you on the spot when the battle was fought?—I was not in time to be under fire, but immediately as it was terminating.

8941. Can you speak from your knowledge as to the state of the Protestants, prior to the battle?—I have always understood that they were in the most persecuted state, that they were worried and beaten coming from fair and market upon various occasions.

8942. Had this state of things been continued for a long time prior to that event?—I understood from those that knew more about it than I did (for I was at school till just before the period), that it was so.

8943. What did you see at the Diamond?—When I got up I saw the Defenders making off in one direction and the firing had nearly ceased, I may say had ceased except a dropping shot or two, and I saw a number of dead bodies.

8944. Can you state about the number?—No; they were conveying them away upon cars in different directions, so that I could not make an exact calculation.

8945. Were there 50?—No; if there were 30 killed, that was the outside.

8946. Were there any Protestants killed?—None that I could hear of.

8947. How did that happen?—The Protestants were in a very commanding situation. Winter's house and the Diamond generally is at the foot of a very steep hill, the other party were in that hollow, and consequently men firing upon them from above could do great execution without being liable to be injured themselves.

8948. Was there firing from the other side too?—I believe there had been, but I do not know it of my own knowledge.

8949. How were they armed on both sides?—With all sorts of old guns.

8950. Which appeared to be the best armed?—I should say the Protestants were the best armed, and I will state the reason: there was a great number of the old volunteer firelocks in that quarter of the country, and I believe they were almost exclusively Protestants.

8951. The Defenders were the assailants, were they?—Yes, they were.

8952. What was the nature of the fight?—I have already stated that the parties who were first at variance had separated; the Protestants were on their return home when they received information that the Defenders from Louth and Tyrone and Monaghan had attacked the house of this Winter in the hollow. They countermarched at once, they returned in haste, and the road led them to the top of this hill that overlooked the part where the Defenders were in full work, and they immediately fired at them.

8953. Then the Defenders had not occupied the hill as a military position?—They had occupied the opposite hill, from which they descended to the attack at Winter's.

8954. Was there any fire directed against the Protestants upon the Diamond?—I have no doubt that there was; the fellows did not go away so tamely as that.

8955. How long did the engagement last?—I do not think the actual engagement lasted about 15 minutes perhaps.

8956. Was the first Orange Lodge formed then?—It was.

8957. Where?—I understood it was formed in the house of a man named Sloan, in the village of Loughgall.

8958. Have you ever seen any of the original warrants?—I have; I think I have one of them with me.

8959. Will you have the goodness to produce it?—

[*The same was delivered in and read, as follows:*]

N° Eighty-nine. Timakeel, July 7th, 1796.

James Sloan.

To be renewed in the name of Daniel Bulla, Portadown District.

8960. What was the principle upon which they were founded?—Wholly defensive.

8961. Has the association ever varied from that principle since?—I do not consider it has in the slightest degree.

8962. Then you consider the Orange Society to be a strictly defensive society; not in the slightest degree aggressive?—Certainly.

8963. Have you held any situation in the order?—I have several.

8964. Will you state what they were?—I was at one time grand master of the county of Armagh; at another time deputy grand master of Ireland for a short period; and I am at present one of the deputy grand masters.

8965. Have

8965. Have you mingled much with the Orangemen in lodges?—I did a great deal formerly.

8966. Do you conceive that you have had opportunities of forming a fair estimate of the effects of the system?—I conceive that I have.

8967. Can you take upon yourself to say what those effects have been?—I consider, in the first place, that the establishment of the Orange Lodges was the first thing that checked the march of republicanism and rebellion in the north of Ireland, when the United Irishmen were on foot; they afforded a rallying point for the loyalty of the country. I consider they have been productive of various advantages; besides, in a moral and religious point of view, I am sure that the discipline of those lodges has gone far to prevent many young men from falling into vice of different kinds, such as intoxication. They had a character to support, and felt that they had a character to support. I am sure it brought many to read God's word, and to attend God's worship, who, but for that, would have been ignorant and idle.

8968. Are you intimately acquainted with Lord Gosford?—I have known him since we were children together.

8969. And you have a great personal regard for Lord Gosford?—I believe we have had for each other a very great regard all our lives; at least, I know that I have had for him, and was happy to show it upon every occasion that was afforded me.

8970. Having stated that you have seen good effects, in a moral and religious point of view, from the Orange system; you are therefore not of opinion, with Lord Gosford, that it encourages a system of drunkenness among the lower orders?—I think his Lordship is totally mistaken in that view; it does not, in my opinion, encourage a system of drunkenness; quite the contrary.

8971. Do you consider the Orange system calculated to bias the mind from doing what is right, as in the case of jurors, &c.?—Quite the reverse.

8972. Are you prepared to say that you, as a magistrate or grand juror, never felt biassed in any case by it?—Never.

8973. Has hostility to Roman Catholics ever from the first formed any part of the system?—Decidedly not.

8974. Have you witnessed many processions?—A great many.

8975. What has been the general conduct of the Orangemen with regard to them?—It has been a subject of general remark in my part of the world, that men whose conduct might perhaps have been considered loose or wild for 364 days in the year were particular in the correctness of their conduct on that day, the 12th of July. It was a matter of general remark, and I believe the remark well founded.

8976. You are of opinion that the processions do not end in scenes of drunkenness and dissipation?—They do not. I beg to say that I have never seen the country so quiet, so silent as upon those nights after the processions were over. I have traversed the country for miles upon the nights of the 12th of July, and I have invariably remarked the peculiar tranquillity, the dead silence I may say, of the country upon those nights.

8977. Are you speaking now of those processions at an early period of Orangeism, or does that remark extend to the processions to this time?—I speak from the time of the first procession in the year 1796, till the night of the last 12th of July, when I returned home from where I dined, a distance of four miles, and I do not think I saw four people.

8978. Are you aware whether processions took place previous to the formation of the Orange Society?—I am not able to speak of my own knowledge to that point.

8979. Did you ever hear that they did?—I have heard that the day was always celebrated from the Battle of the Boyne, celebrated in various ways, but whether by procession or otherwise, I am not competent of my own knowledge to say. I have reason to know from what I heard, that the Government of the country and the civil authorities of Dublin, always made it a point to celebrate the day in Dublin by a procession round the statue of King William; the military were drawn out and fired in celebration of the day, and I have taken a part in it as a military man myself.

8980. And that that custom originated immediately after the Battle of the Boyne?—So I have always understood.

8981. Up to what period did the Government in Dublin celebrate the anniver-

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sary of the Battle of the Boyne in the manner you have mentioned?—Until the arrival of the Duke of Bedford as Lord Lieutenant, in 1806.

8982. Did you ever hear or know of Roman Catholics taking part in those processions?—Frequently.

8983. Did you consider those processions, or were they generally considered as mere exhibitions of party triumph?—I cannot consider them as mere exhibitions of party triumph; they were a general holiday-making in the country, in which it appeared to me that for many years all classes took a part. If I may be permitted I will mention a circumstance. Upon the 15th of last month, I saw an exhibition near Lurgan that they called a sham fight; it was a piece of as harmless mummery as ever I saw in my life; there were about 30 lads on each side; they were dressed up in calico dresses, and then the one party retired firing, the others following them about three miles of road, and then King James was taken prisoner and they all shook hands; the whole country were assembled. I suppose I rode through four miles of people, a large majority of them women; and I saw a number of Roman Catholics in the crowd, appearing to enjoy the fun just as much as any body else, and that was the way that they used to enjoy the fun in former days.

8984. Have you ever heard Roman Catholics talk of the sham fight in conversation?—No, I cannot say that I ever have.

8985. Were the parties both in James's and William's army exclusively Protestants, or were there any Roman Catholics among them?—I did not know the individuals, but I should think they were all Protestants.

8986. Did you ever hear or know of processions being countenanced by the Government?—Certainly I did.

8987. Upon what occasion in particular?—I remember the military authorities of the northern districts reviewing the Orangemen very regularly

8988. Will you state the period and the names of the officers who so reviewed them?—It was in the year 1797, in the town of Lurgan; General Lake was the commander-in-chief of the northern district; he was there with a full staff, and I think General Knox was there, who was high in command in that district.

8989. Were you yourself present?—I was.

8990. What would you suppose was the number of the Orangemen who assembled upon that occasion?—Of actual Orangemen I should say there might be 12,000 or 15,000.

8991. Were they in uniform or armed?—I think I saw some persons in uniform, it was just after the formation of the yeomanry if I do not mistake, I was in the yeomanry uniform myself.

8992. Generally speaking, were the Orangemen who were reviewed by Generals Lake and Knox armed?—No, I do not think they were.

8993. Generally speaking, were they in plain clothes?—Generally speaking, they were, they could not be otherwise, because there was a great preponderance of the plain-coated men above the yeomanry; the yeomanry corps were small at the time, and there was a mixed multitude of, I suppose, 20,000 persons.

8994. Do you mean that there were 20,000 other persons independent of the 15,000 Orangemen, some of whom were dressed in scarlet?—Yes, a mixed multitude, cheering and taking a part.

8995. Do you conceive that any individual holding a high office in the Orange society, or any number of individuals, have the power of calling together to one part of the country the whole body of the Orangemen?—I do not think they have; I do not see how it could be done.

8996. Does such a power exist in them by their rules?—I should say not.

8997. If such a power were vested in them by the rules of the society, do you think it quite impossible that they could exercise that power?—I think it is utterly impossible.

8998. Do not you think that they would find it extremely difficult to assemble together to any one point within any county all the Orangemen of that county?—That depends upon the size of the county.

8999. Armagh for instance?—Armagh is a small county, I have seen all its Orangemen assembled at one point.

9000. When was that occasion?—It was upon the 12th of July 1806, when they went to pay their compliments to the late primate, Stuart.

9001. What would you suppose was the number that assembled then?—It is hard to make a guess, but I should suppose there might be from 16,000 to 18,000; there

there were a number of old men and others, who, though borne upon the books of the lodges, were unable to come any distance.

9002. Where were you when the rebellion broke out in 1798?—I was in Dublin college, doing duty with the college corps.

9003. Did you remain in Dublin, or did you leave it?—I left Dublin; I was sent by the then Secretary of State, Colonel Stuart, afterwards Marquis of Londonderry; I believe they had got information of hostile symptoms in the north of Ireland, in the counties of Down and Antrim.

9004. Can you recollect the precise time of the year when you left Dublin?—It was the first week in June, I think it was a few days before the battle of Antrim, which was fought on the 7th of June; I was taken into the presence of the secretary at the Castle, and I was asked by him if I had not a certain degree of influence in my neighbourhood as well as being a captain of yeomanry corps; I said that I had reason to think that I had, among the Orangemen in particular; he asked me what number of persons I thought I could bring forward in aid of the Government; I said, I thought I could bring them 1,000 men in a few hours. What makes me remember the circumstance so well is, that he gave one of his own peculiar laughs upon the occasion as if he did not believe me; however, he sent me down to the north by the mail coach that night with an order for 100 stand of arms, to be taken out of the depôt at Charlemont, and a communication to General Knox.

9005. Did you act upon that order?—I did the moment I got down.

9006. In whose hands did you place the arms?—I placed the arms in the hands of 100 Orangemen immediately near my own place.

9007-8. In so doing, did you consider yourself acting up to the wishes of the Government?—Clearly.

9009. What became of those arms afterwards?—There was an augmentation made to my corps of yeomanry of 100 men, and I was ordered to collect those arms from the persons into whose hands I had placed them, and to arm the newly raised yeomanry with them, which I did.

9010. The arms were taken from the Orangemen to give to the yeomanry?—They were, generally speaking, they were all taken in; many of the persons I believe who had them got them back again, but they were all taken in *pro formâ* to see that they were in order; there were many persons that had got them in the first instance as loyal staunch men, that were not fit for active military service.

9011. Were all those of the 100 Orangemen that were fit to be yeomen afterwards intrusted with the arms as such?—A good number of them were.

9012. How long was it after the arms were given out to the Orangemen that they were taken from them and given to the yeomen?—I think it was about three months.

9013. On what terms, generally speaking, have you found the Roman Catholics of your neighbourhood living with the Orangemen around?—Until lately, on fair neighbourly terms.

9014. Do you think that your being an Orangeman ever made any difference between you and the Roman Catholics?—Quite the reverse; I am sure there were instances in which they looked upon it as to their advantage that I should possess that influence which being an Orangeman gave me, and which they found me always ready to exercise to their advantage, as cases would occur where it was unfortunately necessary.

9015. Do you think your means of knowing the effect of the Orange system equal to that which Lord Gosford possesses?—I should think my opportunities of knowing it were much better than his Lordship's.

9016. From your long and intimate knowledge of his Lordship, can you state whether he was always as hostile to the Orange system as he is at present?—Indeed he was not; I think Lord Gosford was as high-flying a Protestant, in the political sense of the word, as any of us.

9017. Then, in short, he went the full lengths as a high Protestant that you yourself did at the time to which you refer?—I think he went greater lengths than I could do, because he was a man of greater consequence and greater influence.

9018. Was not an oath administered to the members of the Orange Society for many years?—It was so.

9019. When did it cease?—When the Act of Parliament was passed making these kind of things illegal.

9020. Do you mean to say that no oath has been administered for the last 10 years in the Orange Lodges?—Yes, so far as my knowledge goes.

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9021. Then there are no sworn Orangemen now?—I know of but one in the kingdom.

9022. Who is that?—The King.

9023. When was he sworn?—At his coronation, I believe.

9024. Do you mean to say that the coronation oath and the oath of Orangemen are the same?—Not in words, perhaps, but I consider them so in principle.

9025. Have you ever known the Orangemen as such interfering in public matters?—Hardly ever.

9026. If it should appear that upon any particular question, such as that of Roman Catholic Emancipation or the Reform Bill, they have interfered in the shape of passing resolutions in the grand committee, would you think that as Orangemen they were justified in doing so?—I should say, strictly speaking, that they were travelling out of their duty.

9027. Were you yourself favourable or otherwise to the doing away with processions upon anniversary days?—I rather wished that they should have ceased latterly.

9028. What gave rise to that wish upon the subject?—Various considerations; in the first place, I never wish to give offence to any individual if I could avoid it, and there was offence taken at them; that offence, I am confident, never was intended; still offence was taken, and it is contrary to my principle to give or contribute to giving offence to any mortal if I could avoid it. Another thing was, I wished them to be discontinued in a religious point of view. I conceived that it would be best following up the wishes of Him whose precept was peace on earth and good-will among men; that was my wish. I did not take it up so much in a political point of view, as upon those grounds, I was willing to make any sacrifice without abandonment of principle, to establish peace among my neighbours.

9029. Did you stand alone in that opinion?—I did not; I am happy to say that a number of gentlemen coincided with me in that opinion.

9030. Did you ever hear that in 1832, just previous to the passing of the Party Processions Act, Lord Roden addressed the following letter to one of the officers of the institution in Dublin: "I am very anxious to call the attention of the grand lodge of Ireland to the approaching 12th of July, as I understand it is the intention of our brethren to walk in great numbers. I have always been opposed to processions, and I think they tend to keep up a bad spirit, and have never been of any use. I think, under present circumstances, it is highly unadvisable, and particularly in those parts of the country where there is any collision. I think the Grand Orange Lodge are bound to take some steps to prevent any circumstances occurring which may give a handle to our enemies to speak evil of us. The Orange Society is a conservative institution, and whatever tends to that object, in my mind should be well looked to. I have no doubt, if the Orangemen walk in the county of Down, where they are few in number, some fatal affray will take place, and perhaps some valuable Protestant lives lost. We can but ill spare them, and, as one of their body, I should be sorry to see them put into the wrong by any rash conduct of theirs. I trust you will be able to take some measures to prevent the possibility of what I fear. I think directions sent to the grand lodge of each county, requiring the masters who live in remote districts, or in the midst of a thick population of opponents, not to allow those lodges to walk, might be effectual. I see great difficulties, but I am clearly of opinion no cause for complaint against us should be given. I am, &c. Roden.—To Wm. R. Ward, Esq." Do you hold the same opinions as are contained in this letter with respect to party processions?—I think it was a very well considered letter of my Lord Roden's; it does not apply so much to my part of the country, where we have no dread of collision of any kind; but still I was anxious to try the experiment of doing away with processions, not from any fear of collision, but from an actual wish for peace.

9031. You are of opinion that in any part of the country where the Protestants are more numerous than the Roman Catholics, it still would be better that there should be no party processions?—Upon the ground I have just stated, always reserving non-abandonment of principle.

9032. Did you ever try to have processions done away with?—Certainly I did; I used my best exertions.

9033. With what success?—With very great success.

9034. Has that success continued?—It has not.

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9035. To what cause do you attribute its not having continued?—I would first mention the extent to which I succeeded. I saw Orange Lodges parading from 16 to 20 in number, that I knew very well could, from the state of their returns, have paraded 60 or 70 or 80, and I know that that has arisen from the arguments I have made use of among them; I speak of my own neighbourhood.

9036. To what date do you refer?—I would say in the year 1830 in particular; I had not witnessed any processions for several years before. I think the Government acted unwisely; they took the thing out of the hands of the gentlemen on the spot, who knew the people and the best mode of dealing with them, and who were a number of them conscientiously anxious upon the subject; in one word, I would say, the Government attempted to drive where we would have led, and to that I in a great measure attribute our failure. They severed the gentlemen from the lower and middle classes; the consequence was, a loss of that influence which would have been wholesomely exerted.

9037. Besides separating the gentlemen from the lower classes, was there any thing which took place in Dublin which had the effect you speak of?—I think the people feel very sore about the Patrick's day business at the castle in Dublin.

9038. Do you mean last Patrick's day?—No, every Patrick's day, they think they have as good a right to celebrate St. William's day as the Lord Lieutenant and the mob of Dublin have to celebrate St. Patrick's day, that is the expression that has been made use of to me.

9039. Do you think there is any recent event in Dublin which has disposed the Orangemen to continue their processions?—I have understood generally that the procession, or whatever it was at the entry of my Lord Mulgrave, has done a good deal of mischief in that way.

9040. Are you aware that, notwithstanding that procession, that the Orangemen have held fewer processions throughout the country this year than upon former occasions for many years past?—I believe there have been fewer processions this year. I know it has been so in my own county.

9041. Do not you think that is owing to the exertions which the gentlemen connected with the Orange Society have made to prevent the Orangemen from walking in procession?—I know it was so in my own neighbourhood.

9042. You have, of course, heard of the disgraceful occurrences which took place in Belfast on the last 12th of July?—Yes.

9043. Have you heard that the Orange Society in that neighbourhood instituted the fullest inquiry into the circumstances, and that they have published the following series of resolutions upon the subject: "At a special district meeting of the masters of the Loyal Orange Institution, held at Belfast on July 22d, 1835, it was unanimously resolved, First, That while we deeply regret the breaches of the public peace committed in Belfast on the 12th instant by several lawless parties, and the melancholy occurrence to which they led, we learn with gratification, that the resolutions entered into by us to abstain from processions, and all other public demonstrations on that day, have been so faithfully observed, that no member of our district has been charged with any violation of the laws, nor, as far as we can learn, has any of them been engaged in the riots to which we refer. Second, That we observe with indignation that those who, as a prelude that an attack on the liberty of Protestants in general, seek the suppression of our body, by basely charging all alleged breaches of the peace on the Orangemen of Ireland, have on this occasion resorted to the same unworthy means, through the instrumentality of false statements in the Northern Whig newspaper, and reported speeches in the House of Commons, founded on such statements. Third, That we hereby call on those who have circulated the calumnies on our body to which we have referred, either to come forward and convict even one of our members with the crimes they have charged on the Orangemen of Belfast generally, or retract their libels on men whose principles they neither understand nor correctly estimate. By order of the district, William Herron?"—I beg to say, that from conversing with respectable persons belonging to that quarter, I have understood that the row, which was a very disgraceful occurrence altogether, took place rather between two mobs who are always fighting, one called the Sandy-row Boys, the other called Mill Hill Boys; and I believe they have a tournament two or three times a year; indeed, I believe there is hardly a funeral goes through Sandy-row when there is not a battle among them; and I believe that was more the real history of their late affray than any thing else.

9044. Do you consider the Anti-Procession Act calculated to produce the end contemplated?—

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contemplated?—I do not; at least if the end contemplated was the promotion of peace and harmony, I do not think it is likely to have that effect.

9045. What are the grounds of that opinion?—The grounds of my opinion are, that it appeared to give no satisfaction to any party whatever; I believe the Roman Catholics were in many instances just as much opposed to it as the Orangemen. I know it was taken up by another class of persons as an attack upon civil and religious liberty generally; I have heard them express their sentiments very strongly upon the subject; men who are neither Orangemen nor Roman Catholics, men more of the nature of the old Covenanters that one reads of in Scott's Works; that description of persons, they were very sore upon the subject, and I know I saw many of them taking a part upon occasions produced by matters arising out of that Act which they certainly would not otherwise have done. Another thing is, that I doubt if harmony and love can be ever promoted by force, for I agree with Pope, that

> "Love, free as air, at sight of human ties,
> Spreads his light wings, and in a moment flies."

9046. Have you ever recommended or obtained situations in the police for any persons?—Many.

9047. Have you confined your patronage there or elsewhere to Orangemen?—Certainly not; I have recommended and obtained situations for a number of Roman Catholics.

9048. Is it your practice to have exclusively Protestant servants?—It has not been, but I think it will be in future.

9049. Why so?—I am in the habit of having family worship in my house, which has continued for years. One of my servants, who had lived with me I believe sixteen years, and always attended family worship, in which I think there was never any thing took place that could give offence or be construed into polemical discussion or religious controversy—and I believe that this person was as good an attendant upon her own religious duties as ever she was—that person was sent for by the Roman Catholic clergyman, and forbidden to attend to kneel with her fellow servants in imploring God's blessing upon the household for the day.

9050. She was forbidden to join in the family prayer?—At family prayer in my own house.

9051. Do you think that this feeling is likely to be prevalent?—I have reason to think that it is.

9052. Have you been exclusive in your dealings generally?—Certainly not; I never was; I believe both my butcher and my baker in Dublin were, as far as I could learn, Roman Catholics.

9053. Do you think there is any thing in the Orange system calculated to produce that effect?—Certainly not.

9054. Was the point of exclusive dealing ever mooted, to your knowledge, in the Orange Society?—If it was ever mooted in the Orange Society, it was rejected; I am not sure that it ever went to any thing serious; I know it was mooted by other societies; I remember at one time that the thing was talked of by members of what was called the Brunswick Club, but it never came to any thing.

9055. From your long residence in the county of Armagh, have you had opportunities of becoming acquainted with the feelings of the people around you towards each other?—The people around me till within a short time lived in the greatest harmony possible.

9056. Do you think they are on as good terms now as formerly?—I do not think they are quite on such good terms.

9057. To what do you attribute this altered state?—To men acting indiscreetly in various ways, and to agitators setting them by the ears for interested purposes.

9058. Is coercion, or are strong measures likely to reconcile them, or the contrary?—I should say directly the contrary.

9059. It has been stated by Lord Gosford, that if the gentry did their duty the people would live in harmony; are you aware in what respect the gentry have failed in doing their duty?—I certainly am not; I conceive the gentry did their duty as long as they were permitted by the Government to do it, but I have already stated that their influence was diminished by their being severed from the people.

9060. What is the disposition of the Protestants around you, and what is your opinion as to the best mode of managing them?—The Protestants around me are what I would call a sturdy people, easy to be led, but not to be driven.

9061. You command a corps of yeomanry?—I do.

9062. Are they exclusively Orangemen?—Certainly not.

9063. Have you any Roman Catholics in your corps?—I knew of one once, I think; I do not know with certainty, because I never made any religious distinction.

9064. Is yours the Seagoe corps, No. 320?—It is; and I will state the reason why I believe there was one Roman Catholic. I remember some years ago a great deal of laughing and joking among the men when they were marching from some place or other, and when I came to inquire about it I found they were laughing at this man, and the cause of it was, he had got money from his wife to go to confession, but unfortunately for him and the priest the whiskey-house came before the confessional and he could not stand the temptation, and he spent the money in the whiskey-house, and this was what they were making a joke out of.

9065. That is the only proof you have of his being a Catholic?—That is the only reason.

9066. It has been stated in evidence before this Committee that it is a *sine qua non*, that every person applying for admission into your corps of yeomanry must be an Orangeman?—Nothing could be more false than the statement; I am sure there are several that are not Orangemen.

9067. Can you name any one?—If I had the roll I could, I am sure.

9068. Are not nine-tenths of them Orangemen?—I would say not, but I am not able to speak positively, because the yeomanry lately have been in a kind of abeyance.

9069. But as to its being a *sine qua non*, it is not the case?—Certainly not.

9070. Can you state the name of the individual who drunk out the money that was to have gone for confession?—His name was M'Kann, I believe.

9071. From the knowledge which you possess in matters of military discipline, is it your opinion that the yeomanry are capable of being made a really serviceable force?—I think they are, in proper hands. I have seen the brigade, of which I am the commandant, which amounts to nearly 1,000 men, perform military movements with a precision very little inferior to that of more regular troops; and I am sure if they were in proper hands, and frequently drilled, they could be made a very efficient force.

9072. Did you not at one time suggest a plan to Government for rendering them efficient in cases of emergency?—I recollect doing so.

9073. Can you recollect the nature of the plan?—The nature of the plan which I suggested was this: the veriest tyro in military matters must know, that non-commissioned officers are to the body military what muscles and sinews are to the human body, and that, by supplying them with proper non-commissioned officers, they would become an efficient force; and the plan proposed was, that the non-commissioned officers belonging to the militia, who were in fact doing nothing, should be employed in that way that a number of each yeomanry corps should be put on permanent duty with the non-commissioned officers of the militia staff, and thus drilled; the number to be changed at the end of every month, or so till the whole mass was leavened with discipline, by means of the non-commissioned officers and the staff in general of the militia.

9074. Even admitting a doubt of their becoming efficient in a military point of view, does your experience enable you to state in other points of view, that their existence may be or has been turned to advantage?—It strikes me that there are instances, at least one in particular; I never found a man who had been in the habit of obeying my word of command in the field, that did not feel inclined to obey me elsewhere, if I find it necessary to call upon him; I found that the young lads of the country, who were candidates for admission into the yeomanry corps, which is very popular among them, invariably regulated their conduct by that expectation, knowing full well that if they were guilty of any improper act, it would defeat those expectations; and therefore on various occasions, when young men might be forgetting themselves, if they happened to be yeomanry, they were more easily brought to order than any body else.

9075. But if it had been the practice to admit indiscriminately Catholics as well as Protestants, would not the same motive have operated upon the young Catholics as upon the young Protestants?—Of course I make no difference between Roman Catholics and Protestants; one may be as good a soldier as the other.

9076. Except for the lodge?—Except for the lodge. I have commanded Roman Catholics many a day, and would as soon have had them at my elbow in the hour of danger as any other men.

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9077. Do you recollect any particular emergencies in which you have found the yeomanry useful in the county?—Many in former days.

9078. During the last 20 years?—Yes, they were on permanent duty in the years 1821 and 1822; they did the garrison duty of the county, and they got the thanks of the Government for doing so.

9079. Sir Frederic Stoven has stated in his evidence that fire-arms that he saw in the hands of the people upon certain occasions in the county of Armagh, were yeomanry arms; are you of opinion that he was borne out in that assertion?—I think it was a very rash assertion for any man to make without knowing it for certain.

9080. Do you think the other arms are so much like the yeomanry arms that he might be mistaken?—He might.

9081. Are the people in general well supplied with arms?—They are very well supplied with arms.

9082. Are the lower orders of Catholics well armed?—I understand that they are.

9083. Are they equally well armed with the same class of Protestants?—I have always understood that they are.

9084. Have you any idea how the arms in general are procured?—They are purchased by those who can afford it, and they have a system in the country that they call gun clubs, which supplies a great many arms. I beg to observe, that my part of the world is a great place for wild fowl in the winter time; from time immemorial people have had arms for the purpose of shooting.

9085. Are you acquainted with Lord Mandeville?—I have the honour of knowing his Lordship very well.

9086. From your knowledge of him, do you think him likely to give bad advice to the people?—Quite the reverse; he would do every thing to promote their interest, both spiritual and temporal.

9087. It has been stated that the arming of the people through the medium of gun clubs originated with his Lordship, what is your opinion as to that?—I knew of the existence of gun clubs long before Lord Mandeville made that speech, if he ever did make it; the fact is, they have clubs for every thing; they have loom clubs and clock clubs.

9088. How long have you known gun clubs to exist?—I think I have heard of them seven or eight years at least, perhaps longer.

9089. Are there any in your neighbourhood?—I know there are several.

9090. Do you know whether the members are numerous?—Very numerous, I believe.

9091. What description of persons are they composed of?—Farmers' sons and other persons; my district is full of persons engaged in the linen and cotton manufactory, and young men of that class belong to it.

9092. Are the arms procured in this way of a military description?—I have seen many of them that were equal to any firelocks that I ever saw come out of the Tower.

9093. So that a military man seeing them might easily take them for the King's arms?—Certainly, he could not tell the difference, except that in some instances they were better.

9094. Have the people belts resembling those of the army?—A great many of them have.

9095. How are they procured?—I have seen great lots of them sold in the public markets, bought at old ordnance sales, and brought down to the country and sold for various purposes.

9096. Brought down by carmen?—Brought down by persons who trade in those things, by brokers; one man would buy them to make cart harness, and another would buy them to make razor strops, they are a favourite thing for razor strops, and others would buy them to carry their bayonet and powder-horn.

9097. Do you know Dr. Patten, of Tanderagee?—I do very well.

9098. Is not he a captain of yeomanry?—He is a captain of yeomanry in the brigade of which I am the commandant.

9099. What is his character?—There cannot be a more upright or honourable gentleman.

9100. Is he a person likely to defraud the Government?—Certainly not.

9101. Then, if it was stated that he had drawn the pay of officers that were actually dead, would you believe it?—I would not.

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9102. Have you ever heard any thing upon this subject before?—I did hear mention of it; I heard that a man of the name of M'Connell, an attorney, did, two or three years ago, make some allegation of the kind; I made some inquiries upon the subject, and I found that one of the men who was supposed to be dead was alive, and I have reason to know that he was living on Sunday last; his name was Kean; and there was a particular case when the yeomanry were put upon permanent duty in the year 1821; Dr. Patten recommended two or three gentlemen for commissions to the Government, and he was replied to that the commission would be made out. He put one of those gentlemen under the letter of the Government on permanent duty with his corps; when he came to make his return at the end of the month and to draw pay for this officer, the Government disallowed it, and Captain Patten paid the man's pay out of his own pocket.

9103. Is Mr. M'Connell, whom you have mentioned, the person who was examined here as a witness?—I believe so.

9104. Are you acquainted with Dean Carter, of Tanderagee?—Yes, I know him very well.

9105. He held a commission of the peace for several years in the county of Armagh?—He did for many years.

9106. From your knowledge of him, have you reason to consider him as a person who, while he held a commission of the peace, discharged his duty as a magistrate ought to have done?—I have no reason to doubt it; such is the voice of the country.

9107. Did you ever hear any Roman Catholics complain of him as having been partial towards the Orangemen or partial against them?—I never did.

9108. Are the Orangemen in the habit of singing uncharitable songs?—No, certainly not.

9109. Do you know this of your own knowledge?—I may say that I do know it of my own knowledge, for I know the song that was the original charter song of the Orange association contained some verses that were very much the reverse of uncharitable; and I know upon various occasions that I have heard those verses particularly applauded, seeming to meet the wishes and ideas of the hearers.

9110. Can you give the song to the Committee?—Here is a copy of it:

ORIGINAL CHARTER SONG OF THE ORANGE INSTITUTION.

TUNE—"*Lilly Bullero.*"

1.

Tell me, my friends, why are we met here—
Why thus assembled, ye Protestant boys?
Do mirth and good humour, good liquor and cheer
Call us to share in Festivity's joys?
Oh no, 'tis the cause of King, freedom and laws,
That calls loyal Protestants now to unite,
For Orange and Blue will be faithful and true,
Our King to support, and sedition affright.

2.

Great spirit of William, from heaven look down,
Wake in our hearts our forefathers' fire;
Teach us to rival their deathless renown,
From Traitor or Frenchman ne'er to retire,
Jacobin, Jacobite, against all to unite,
Who dare to assail our Sovereign's Throne,
For Orange and Blue will be faithful and true,
And Protestant loyalty ever be known.

3.

In that loyalty proud let us ever remain,
Bound together by truth and religion's pure band,
Nor honour's bright cause with foul Bigotry stain,
While in courage and justice supported we stand.
So heaven shall smile on our emerald isle,
And lead us to conquest again and again,
While Papists shall prove our brotherly love,
We hate them as *Masters*, we love them as *Men*.*

4. By

* This verse has ever been hailed with peculiar approbation in Orange meetings.

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4.

By the deeds of our fathers to glory inspir'd,
Our Protestant heroes will combat the foe;
Hearts with true honour and loyalty fir'd,
Intrepid, undaunted to battle we go.
In Orange and Blue, still faithful and true,
The soul-stirring music of glory we'll sing
The shades of the Boyne; or the chorus shall join,
And the welkin re-echo with—"God save the King."

9111. Have you heard of a body among the Roman Catholics called Ribandmen?—Yes.

9112. Do you believe they are in existence?—I have no reason to doubt it.

9113. Have you any reason to believe it?—I have very strong reason to be satisfied of it from having taken up a principal lodge of them at one time.

9114. Will you state the particulars of that occurrence?—In the year 1822 I was in Dublin, at the Treasury, and I was applied to by the chief Secretary and the then Solicitor-General, now chief Baron Joy, on the part of his Excellency the Lord Lieutenant, Lord Wellesley, to know if I had any objection to go to the city of Armagh and execute a particular warrant. I expressed my readiness to do any thing his Excellency wished, and I was sent down armed with a proper authority to the city of Armagh; I made my arrangements and directed a party of the staff of my regiment of militia to meet me at one point, and I took an officer and some serjeants of yeomanry from another part, and we met in Armagh and secured this body of persons that we were sent to apprehend.

9115. Did you ascertain what was the nature of the confederacy?—Some of them were tried afterwards and prosecuted by the present Lord Plunkett, and convicted.

9116. Will you state the particulars of the transaction?—I received my authority to go down, and I was directed to the place where I should find them. I have stated the arrangements I made by bringing non-commissioned officers of the militia and yeomanry with me, and we came upon them as we expected, made them prisoners, and seized papers of various kinds.

9117. Was it in a public-house?—It was rather in a kind of grocer's shop, in the city of Armagh.

9118. What time elapsed between the time when the communication was made to you from the Government, and the seizure of those persons in the grocer's house?—I had my orders one day and went down the next to my father's place, the third day I went into Armagh, and the fourth I was back in Dublin; I had to travel 60 miles and to make my arrangements.

9119. What number of persons did you secure upon that occasion?—I think we secured either 14 or 15.

9120. Was there a large number assembled?—There was not a large number. I have reason to believe that it was a meeting of delegates from various parts, and therefore not a large number.

9121. Did you secure all that were in the apartment in the house?—I think we did.

9122. What was the nature of the papers which you discovered upon them?—I handed over the papers to the Government without any examination of them; I had merely my duty to perform and I did it, and I handed over the papers to the Government; I have since got one or two other papers that were taken upon that occasion, which were omitted to be sent, indeed I think they were taken by a man of my party who handed them to me after I had transmitted the others to Government.

9123. What are the contents of those papers?—They are here—[*producing the same.*]

9124. Will you have the goodness to read those papers?—"I, A. B. do, in the presence of Almighty God, and that of his Son, Jesus Christ, declare and promise that I will keep secret to all things that I will see or hear now and hereafter relative to this board, and these regulations which I am intended to hear. Now I, A. B. do, in the presence of Almighty God and that of his most blessed Son—1st. I declare and promise, without any dread or compulsion, allegiance to His Majesty King George the Third. 2d. I also declare and promise to be true and stedfast to my brethren and this board, dedicated to Saint Patrick, our holy patron of Ireland, in all things lawful, not otherwise; and that I will duly and regularly attend their board when and where they think proper, and conform myself to the regulations of said board in what

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what was lawful, so long as the board or those who may be in trust think proper. 3d. I also declare and promise, that I will not knowingly or willingly provoke, challenge or fight any of my brethren. If a brother should be ill spoken of or otherwise treated unjustly, I will, according to circumstances, espouse the cause, or give them the earliest information, aiding them with my sincere friendship when in distress. 4th. I also declare and promise, that I will not admit or propose any person of a bad or suspicious character into our honourable board, knowing him to be such; and that I shall endeavour to propagate brotherly love and friendship among such of my acquaintance as may be thought worthy. 5th. I also declare and promise that I will not at any of our meetings or elsewhere drink to intoxication, to disclose the names or regulations made by our honourable board or the members thereof. 6th. I also declare and promise, that in towns and counties I will give the preference of my dealings to my Catholic brethren, according as circumstances may answer me; I will not wrong a brother to my knowledge. 7th. I also declare and promise, that I will not withdraw myself from this right honourable board; and should I ever join in where the enemies of our emancipation are, may the wrath of He who suffered for us fall on me (I do not mean trade societies or soldiers). 8th. Having made the above promises of my own free will, and should I ever prove false or untrue to them, may the Son of God who suffered on the cross for us, judge me according as he may think fit. So God protect our friendship and keep us from the hands of our enemies and to live in a state of grace." The other paper is as follows: "Those times are distressing. Who are distressed?—the poor. Who are poor?—only those that God hates. Our laurels are fading—next spring will revive them. Do not abuse me, I am for peace—you shall not be abused.'

9125. Did you ever hear the nature and contents of the other papers?—I know nothing about them further than what transpired upon the trial; I was examined at the trial, and I believe some of them were convicted.

9126. Can you state who gave you those documents?—I cannot take upon me to say what was the name of the individual man; it was one of the party that I had with me.

9127. Where did the trial take place?—In Dublin.

9128. How did you know that it was a meeting of delegates?—I was informed so in the first instance, that it was to take up a meeting of Riband delegates, and when I inquired of the fellows where they came from, I found that they came from different parts of the country, from Dundalk, from the county of Derry, from the county of Antrim, and from Cavan.

9129. Any from Dublin?—I do not recollect; I think the principal man came from Dundalk.

9130. Did those delegates come from the north or the south of Ireland chiefly?—All from the north of Ireland.

9131. But the Dublin man was not one of those that were arrested?—I cannot say.

9132. Were they all convicted on the trial?—I know nothing about the trial, because I was ordered out of court, having to appear as a witness.

9133. How long subsequent to the apprehension of those men were those documents put in your possession which you have now produced?—About an hour or so after.

9134. The other papers which you received you transmitted direct to the Government without examining them?—I did.

9135. But those documents you did not forward to be made use of upon the trial?—No.

9136. Have you reason to believe that many Riband Lodges exist at the present moment?—Only from hearsay.

9137. Is that the general belief?—It is; I have heard, at least, that there is a Riband Lodge sits not very far from where I live, and it is the general impression.

9138. Are you a magistrate?—I am not at present, thank God.

9139. Where is that stated to exist?—The name of the place is Mullahead.

9140. Did you ever give that information to any neighbouring magistrate?—No; I merely heard it talked of, and I left it to the police to trace out.

9141. Did you hear that it was of a large or formidable description?—I heard that they were first noticed by some of them, being a little riotous in the middle of the night after coming out of a public-house.

9142. Then you have not heard that the Riband system is spreading at this moment extremely through Dublin?—No; I live in a retired way, in a retired part of the country, and meddle very little in public matters.

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9143. Have you heard of a murder being committed at a Roman Catholic cemetery in a fight between two bodies of tradesmen?—No.

9144. You did not then attach much importance to this meeting of Ribandmen, or consider them of a very dangerous nature, since you did not communicate the information to any magistrate?—I did not think much of the subject; it was a thing that went in at one ear and out at the other.

9145. Did you hear that they met for any treasonable purpose, or for what purpose they met?—No; I never heard any particulars upon the subject, I merely heard that there was a Riband Lodge in the habit of assembling there.

9146. Did you hear the specific object for which they met?—No.

9147. Is it your opinion that the Orange Institution at present is essential for the security of the Protestants in Ireland?—I think, under existing circumstances, it is.

9148. What do you conceive to be peculiar to the political circumstances of the times, so as to render it expedient that a defensive institution of that sort should exist?—It appears to me, and I believe to a great number of others, that every thing Protestant is assailed with a view to its fall.

9149. Do you consider that peculiarities exist in the history of Ireland, which perhaps exist in the history of no other country?—Solomon says there is nothing new under the sun; I do not know that there is any thing in Irish history that could not find its parallels in other countries.

9150. Do not you conceive that the historical reminiscences of Ireland are such as to render it peculiarly feasible to irritate their feelings and to incense them against the Protestants?—I do not comprehend the question.

9151. Did you ever hear it stated by Lord Clare, that the whole of the land of Ireland had been forfeited, and that some of it had been forfeited three times over?—I think I have heard of that.

9152. Have you heard it frequently stated what is perhaps generally believed among Roman Catholics, that they have been subject to six centuries and a half of misgovernment?—I do not know whether that feeling is confined to Roman Catholics; I believe there is a general feeling that Ireland has been misgoverned for a great number of years, and I do believe never more so than at this moment.

9153. Have not the confiscations in the time of Cromwell left behind them something of bad feeling even at the present day?—I have heard a common expression in Ireland, "The curse of Cromwell upon you."

9154. Is there not something in every aspect in the country in the south of Ireland which is calculated to awaken feelings of irritation; do not you see ruined castles and ruined monasteries, one of which has been blown up by Cromwell, and another destroyed by the violence of William the Third. In short, if history were annihilated, would there not be monuments upon the face of the country that would be calculated to keep alive a feeling of hostility towards the Protestants of Ireland?—I know very little of the south of Ireland; I know that there are a great many ruins both of castles and monasteries that have suffered in various ways.

9155. Do not you conceive that there is a very general desire for a repeal of the legislative Union in the provinces of Leinster, Munster and Connaught?—I cannot speak as to the feelings of Leinster, Munster or Connaught.

9156. Did you ever hear that numerous petitions were presented upon the subject to the House of Commons last year, and that the signatures annexed to those petitions exceeded by 172,000 the number of signatures annexed to the petitions for the abolition of tithes?—I have heard of petitions being presented to the purport mentioned.

9157. Do not you believe that a very general wish exists on the part of the Roman Catholics of Ireland to get rid of every vestige of Protestant ascendancy?—I should suppose so.

9158. Does not that ascendancy consist of two characteristics, a church ascendancy and a political ascendancy, or what may be termed a civil and a religious ascendancy?—I am not a political metaphysician enough to enter into that question; I do believe, and I never heard a Roman Catholic deny that they do wish to have their own church uppermost.

9159. Do you mean by uppermost connected with the state?—Generally speaking, uppermost; they are taught to believe that our faith is an erroneous one, and that theirs is the right one, and that they wish that it should have the preponderance in every possible way.

9160. So far as matters of faith go, you are taught a course directly contrary, that yours is the right one, and the Catholics' an erroneous?—All my reading and

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all my thinking has gone to show that I have too little religion of my own to interfere with that of my neighbours'.

9161. Did you ever hear a desire expressed on the part of Roman Catholics that the ascendancy of numbers should prevail over the ascendancy of property?—I am not aware of having heard expressions to that effect.

9162. Have not you witnessed of late endeavours to create an ascendancy of numbers over the ascendancy of property in the south of Ireland, and have not those endeavours been very generally successful?—I have already stated that I know very little of the south of Ireland, and that I live in a retired country, and in a retired way, and mingle very little with public matters.

9163. Have you ever seen any Roman Catholic processions?—I am not aware that I have; there are none in my immediate neighbourhood.

9164. Does your neighbourhood consist principally of Protestants of the Established Church, or Presbyterians?—I believe the proportions in the parish in which I live are about 6,000 of the Established Church, about 2,000 Presbyterians, and about 2,000 Roman Catholics.

9165. What is the name of the parish?—Seagoe.

9166. You have heard of the outrages that took place in Maghery in November 1830?—Yes.

9167. From whom did you first hear of them?—I heard of the outrage at Maghery a day or two after it happened, when I went down as a magistrate with others to investigate the circumstances.

9168. Do you recollect from whom you heard of the circumstances?—I do not know exactly the individual; I think I heard it in the petty sessions office in Portadown; it was reported there, I think, by the police.

9169. What was the purport of the communication you received?—I think it was reported regularly to the sessions office by the police.

9170. Did you receive any account of the transaction from Colonel Verner?—I remember examining Colonel Verner, as well as others, at that investigation.

9171. Did you receive any note from Colonel Verner, requesting you to attend the meeting?—I am pretty sure I did; I know I went to his house after the meeting.

9172. Do you remember who were present at that meeting?—There were several magistrates and gentlemen present; I forget the names of them all at this moment; I know there was a Mr. Atkinson; I think Mr. Woodhouse was there, and there were some others.

9173. Was Mr. Hancock there?—I do not recollect his being there at that time.

9174. When was the meeting at Maghery of which you speak?—I think two or three days after the outrage had been committed we got notice of it, and we went to the spot.

9175. Did you take any prominent part at the meeting?—I took a leading part in examining the evidences. Mr. Atkinson, I think, was the chairman, as senior magistrate.

9176. Did you see the state of the place?—I did.

9177. A great deal of mischief had been done?—There was a great deal of mischief done in various ways, but not nearly to the extent that was afterwards made of it.

9178. Did you forward the evidence to Government?—Yes.

9179. Did you make any report from yourself?—I did; I was in the habit of communication with the Government, and I wrote upon the subject.

9180. Was there any objection made by the magistrates present to your forwarding the proceedings?—None in the world, it seemed their wish.

9181. Did the Maghery people attend to give evidence upon that occasion?—I think some of them did, but I understood that many of them went out of the way to avoid it.

9182. Did you also attend as a magistrate at Lurgan some time afterwards?—I did.

9183. Did Sergeant Perrin, King's Counsel, preside at the meeting by the order of the Government?—He did; and I went by direction of Government to assist him.

9184. Did Mr. Hancock take an active part throughout the investigation?—He appeared the first mover and main spring of the whole affair.

9185. Were his exertions confined chiefly to the evidence upon one side, or did he

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he seem equally anxious to collect the evidence on both sides?—As far as my opinion goes, Mr. Hancock was acting as prosecutor upon the occasion.

9186. Prosecutor against the Protestants, or against the Roman Catholics?—Against the people that committed the outrage.

9187. Did you hear that he examined the witnesses previous to their appearing before the court, and rejected such as he thought were likely to give evidence that he did not approve of?—I did hear it mentioned; I understood that he had attorneys employed, and that the evidences were examined previous to their coming before us.

9188. Did you see any list of questions laid before Mr. Perrin from which he examined the witnesses?—I am not aware of it, it may have been so.

9189. Did you hear any objection made to the investigation taking place at Lurgan, as being so distant from Maghery, and from the length of way that the witnesses had to come, and that Portadown was recommended as a more central place?—It was the general feeling that the investigation in point of convenience should have taken place at Portadown.

9190. Does not Mr. Hancock reside at Lurgan?—Yes.

9191. Did not Mr. Perrin stop at Mr. Hancock's house?—I am not aware of it, from my own knowledge.

9192. What was your opinion of Colonel Verner's conduct on that occasion?—I took great pains to sift the evidence to the bottom; my opinion was, that Colonel Verner did every thing that became a man and a magistrate, that he put his life in peril, and was very near being shot in consequence of his exertions.

9193. By what party?—By the party who were doing the mischief.

9194. Do you think Colonel Verner would have been justified in calling upon the yeomanry to act?—I do not think he would, except in a matter of State defence; it was not the custom of the country, and it was rather discountenanced.

9195. By whom was it generally discountenanced?—By the Government of Ireland.

9196. If he had done so, would it not probably have led to bloodshed and loss of life, from the irritated state of the people that were proceeding to Maghery?—I think it is probable that it would.

9197. Do you think it would have been advisable for him to have ordered the one police constable who was present to apprehend any of the rioters?—It would have been ludicrous upon the face of it.

9198. Did you hear the evidence given of the attack upon the Protestants upon the Saturday previous?—I did, I heard the whole.

9199. Are you aware that a person of the name of Joe Campbell was present taking an active part upon that occasion?—The village of Maghery is a clan of Campbells, and there were several of that name that appeared to be taking a very active and violent part.

9200. Was his one of the houses that was afterwards wrecked?—I believe so.

9201. Is he a man that goes by the name of Captain Campbell?—I have heard him called by some such name.

9202. What is his general character?—I am not competent to speak much as to his general character; I believe he was a great leader among them.

9203. Did you ever hear that he was implicated in the rebellion of 1798, and obliged to flee the country?—I may have heard of it, but I do not recollect it; I heard that he was a great Defender.

9204. Did you ever hear that he held a high situation in the rebel army at Vinegar Hill, or in the south of Ireland?—I do not recollect having heard of such a thing.

9205. Did you hear that a man of the name of Kelly, a Protestant, died in consequence of the injury he received from Campbell that day in Maghery?—As well as I recollect, I think I did.

9206. Has Campbell ever been tried for the attack upon those persons?—There was a party of them tried at Armagh, and convicted, to the best of my recollection.

9207. Was he one of those that were tried and convicted?—I cannot exactly answer that question, because I have generally been confined to the grand jury room at Armagh.

9208. Were you employed to conduct or arrange the prosecution on both sides?—No

9209. Was Colonel Verner at the assizes?—I do not think he was.

9210. Were

9210. Were the trials postponed in consequence of the absence of Colonel Verner?—I know nothing of any such transaction.

9211. Do you recollect whether those trials were fairly conducted?—I am bound to suppose that they were fairly conducted; I never saw a trial in our courts that I did not conceive fairly conducted.

9212. Did you ever hear it said that the trial of the Protestants was a common mockery, in consequence of Colonel Verner having been examined as a witness?—Never.

9213. Would you believe that the consequence of that would be to make the trial a common mockery?—Certainly not.

9214. Were you on the grand jury when the bills of indictment came before it?—I was on the grand jury at the assizes of 1831.

9215. Were there not several persons upon the grand jury who were supposed to be of what is called liberal principles, that is, opposed to Orange principles?—There generally are.

9216. Were not several of the bills ignored?—Those are matters that I have not a distinct recollection of.

9217. Do you remember whether it was proved that most of those that were tried were absent from Maghery upon that day?—I have already said, that I was not present at the trial.

9218. What is your opinion of the Armagh juries?—I believe they are very excellent juries.

9219. Do you think they perform their duty fairly and impartially?—I never heard it doubted.

9220. Are they chiefly Orangemen?—I dare say where there is such an immense body of Orangemen in the county, that there are some Orangemen upon the jury.

9221. Are they chiefly Protestants?—The great bulk of them is Protestant; but there are some Roman Catholics.

9222. Is not the proportion of Protestants on the juries, compared with the Protestant population, much greater than the proportion of Roman Catholics compared with the Roman Catholic population?—The great bulk of the population is Protestant, consequently the great bulk of the jurors must be so.

9223. Is not a great proportion of the adult population in Armagh Orangemen?—To a great extent.

9224. Had you a conversation with Lord Anglesea respecting Colonel Verner's conduct upon that occasion?—I had.

9225. Did you, in consequence of that conversation, mention the subject to Colonel Verner?—I did.

9226. Did Colonel Verner subsequently solicit an interview with the Lord Lieutenant upon that point?—Yes, and I accompanied him to the Castle, when he went to have that interview.

9227. What was the nature of the Lord Lieutenant's remarks in that interview?—I remained in the ante-room during the interview, which was very long; and I was afterwards called into the audience chamber; and I think the expression of Lord Anglesea was, "Our friend Verner has completely exonerated himself," or words to that effect.

9228. Do you think it was the opinion of the magistrates who were present at the investigation, that Coloner Verner's conduct was deserving of censure?—Certainly not.

9229. Do you think that they approved of that part of the report?—We never saw the report to which you allude; I never heard till this day that such a report was made.

9230. Do you mean that you forwarded no report of that investigation to Government?—There were two investigations; at the first, I wrote to the Secretary myself, at the request of the magistrates. The magistrates put it upon me to make a communication to the Government, I suppose from my being more in the habit of communicating with the Government of the country than any of them.

9231. And the nature of that report was, that you strongly recommended Government to take active measures for discovering the perpetrators of this transaction, which you described as of a very horrible nature?—I forget whether I made any suggestions upon the subject; but I know it was my anxious wish that they should do so.

9232. But Mr. Perrin's report was not shown to the magistrates before he sent it?—

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it?—I never heard till this day that he had made a report; I know we felt extremely annoyed that we should have heard no more of the matter.

9233. If that report had been shown to the magistrates, do you conceive that they would have approved of that part of it which recommended that Colonel Verner should be prosecuted for want of exertion, and not having done his duty?—I am pretty sure the magistrates would never have sanctioned such a thing, except Mr. Hancock perhaps.

9234. Do you remember the names of the magistrates that attended the investigation to which Serjeant Perrin was sent by Government at Lurgan?—There were very few; I know that Mr. Hancock was there, and I think Mr. Woodhouse was there, and I attended constantly; I am not sure of the names of all the others; Mr. James Forde was there, I think.

9235. Did Colonel Verner attend?—Yes, and I think Mr. Algeo was there.

9236. Previous to the prosecution of these parties at Armagh, had you any communication with the Crown Solicitor?—None in the world.

9237. None whatever as to the parties that should be prosecuted?—No, I do not recollect having any communication with him upon the subject.

9238. Or as to the crime for which they should be indicted?—I do not recollect having any such.

9239. Had you any conversation with Colonel Verner upon that subject?—Colonel Verner and I may have conversed at different times, but not upon that subject.

9240. Had you any conversation as to which of the parties should be prosecuted, and for what they should be indicted?—No.

9241. It has been stated by a witness to this Committee that the conduct of the prosecution of those parties was handed over to yourself and to another magistrate, was that the case or not?—I never heard of such a thing in my life.

9242. You never did undertake in any way to communicate either with counsel or solicitors with reference to that prosecution?—No, I do not recollect taking any steps upon that subject.

9243. If a statement was made that such had been the case, could you undertake here to give it a direct contradiction?—I should say it was made in error certainly.

9244. Do you think that if the fact had been so, it must have impressed itself upon your mind?—Of course it must.

9245. Do you think it is possible under any circumstances that that could have been the case and you forget it here?—I do not think it is; I have had conversations with the Crown Solicitor upon various occasions at the time of the Armagh assizes, but nothing in that kind of way as taking a part except with respect to people coming from my own country recommending the way in which the evidence is to be brought forward, but with reference to that particular transaction I am pretty clear that I had nothing to say.

9246. There was not an understanding among the magistrates that you should take that case into your own hands?—Decidedly not.

9247. It has been stated that two men, Forde and Murphy, were convicted of a riot near Tanderagee, and that after being convicted they were liberated, and it has been stated in the evidence that one of them was admitted into the yeomanry and another into the constabulary; do you recollect those facts?—I know nothing about those facts, but I should think it would be very hard to keep a man in a state of degradation all his life because he gets into a boxing match, and in Ireland particularly.

9248. At present is the Committee to understand that there is nothing secret in the Orange Society but its signs and pass-words?—That is all.

9249. Therefore you would not consider yourself at liberty, as an Orangeman, generally speaking, to communicate the signs and pass-words to any but an Orangeman?—Certainly not.

9250. You would consider that you violated some express or implied engagement?—I should think that I had acted dishonourably if I did so.

9251. Would you break your word if you communicated the sign to any person, for example, to any Roman Catholic?—I have never given my word upon the subject.

9252. What is the nature of the engagement, express or implied, that a man makes to keep the sign secret so that it would be dishonourable to declare it?—I conceive it to be an honourable obligation altogether.

9253. But

9253. But there is such an obligation?—So far.

9254. Who communicates to the person just initiated that there is such an obligation upon him?—The man is communicated with before he is brought into the lodge and told that he is to be initiated upon the condition that he does not, and he is understood to be a religious, God-fearing man, who has the fear of eternal vengeance before his eyes, and the Bible, I believe, in his hand, but there is nothing more than that.

9255. You said that "he is told that," do you mean that he is told that he is not to communicate the sign that is to be communicated to him to any but an initiated man?—He is told by the friends that introduce him.

9256. But if he dissents from that, will he be introduced?—I should think not; but I know little of those minor matters.

9257. However, there is such an understanding that a man would conceive that he committed the crime of falsehood if he were to give the signs to an uninitiated man?—He certainly would conceive himself as having done a very dishonourable and discreditable thing.

9258. And that class of society who do not talk of honour as you do, would consider that they had committed a degrading falsehood?—They would consider themselves as degraded.

9259. Do they make any declaration?—I do not think they do; I have been very little in private lodges for some years past.

9260. When you say that they would be degraded, your meaning is that you suppose that there is an implied understanding that the sign is not to be made known, and that probably before their initiation they have heard of this in conversation with their friends; but you do not mean to say that when they are initiated they give their word not to make the sign known, so that afterwards they could be positively charged with having been guilty of falsehood if they did make it known?—No, they are introduced as men who are likely to keep secret what is communicated to them in the way of secrecy as being trustworthy persons.

9261. Did you hear of a large assembly of Orangemen at Tanderagee on the 12th July 1831?—I was in Scotland on the 12th July 1831; I do not doubt there was an assemblage there.

9262. From any thing you have heard, do you believe that they had 1,000 guns upon that occasion and a great load of ball-cartridge?—Certainly I could not believe it.

9263. If a person was to tell you that life and property were insecure upon that occasion, would you believe it?—I would not.

9264. Did you refuse to go into the case of certain persons charged with a riot at Balleleagh in 1833?—I do not know such a place.

9265. Did you ever say, when speaking of the Anti-procession Act, that it was a law made by the Whigs, and that they made many laws besides that that ought not to be obeyed?—Certainly I never could express myself in that kind of way. I may have said, as I have done to-day, that the Anti-procession Act is not calculated to answer the end, but as to saying such a thing as that an Act of Parliament ought not to be obeyed, I trust I know better than that.

9266. You never used language to that effect which it has been stated before this Committee that you did use?—I never used any language of that kind—I am incapable of it, I trust.

9267. Generally speaking, what description of persons are the district masters of the Orange Society?—Some of them are gentlemen of fortune, others are a better class of farmers.

9268. Would you apply to them such terms as these, that they are men incapable of writing a note, the lowest grade of society, viz. weavers and small farmers, and people of that description?—Quite the reverse; there is one district master, Mr. Obre, who is a member of one of the oldest and most respectable families in the county of Armagh.

9269. Do you think that Lord Mandeville would feel himself degraded by having the district masters of the county of Armagh, generally speaking, at his table?—Certainly not.

9270. Is it your opinion that when a bench of magistrates, or any portion of them, is composed of Orangemen, Roman Catholics have not the slightest confidence in them or the least chance of justice?—I can only speak in my own case, and it is rather painful to do so, because it may involve a degree of egotism, but this I know, that when I was removed from the commission of the peace, the Roman Catholics

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of the neighbourhood had actually prepared a memorial for my restoration as being their friend upon all occasions, had I allowed them to put it forward.

9271. Was the memorial signed?—I understood that it was signed and that it is in existence at this moment, but I prevented it being sent.

9272. Are the Committee to understand that when you were dismissed from the commission of the peace, the Roman Catholics in your neighbourhood signed a memorial with the view of your being restored to the commission?—Yes.

9273. Can you from your own knowledge give the Committee any account of the transactions at Anahagh?—With regard to the transactions at Anahagh, I came to a knowledge of them in a particular way, I was in a distant part of Ireland at the time, but I afterwards by chance fell in with a man who was at my house and who told me, that he was present rather as a spectator than an actor among the party, who came and did the mischief at Anahagh.

9274. Do you recollect how long subsequent to the transaction you received this information?—The transaction took place in January, and it was about the month of February this person came to me.

9275. What was his situation in life?—He was a man in very humble rank of life, but intelligent.

9276. Was he a Roman Catholic, or a Protestant, or an Orangeman?—He was a Protestant; he was not an Orangeman; I think I recollect asking him.

9277. What information did he give you as to the persons concerned in that business?—He fell in with them coming from a place called Killyman, in the county of Tyrone, in full progress to Anahagh, which is about a mile and a half or so from the borders of Tyrone; the men that did the business came from the county of Tyrone.

9278. Were they strangers to him?—I did not ask him particularly as to that; he said that he knew that they all came from Killyman.

9279. Do you recollect that man's name?—I think his name was Wilson; he is a maker of brushes or something of that sort; he was at my house in the way of his trade, and I asked him some question that led to his giving me the information.

Lunæ, 3° die Augusti, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Lieut.-Colonel *William Blacker*, called in; and further Examined.

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9280. YOU were asked, upon the last day, as to the people of Maghery coming forward to give evidence upon the investigation there, do you know whether any efforts were made to induce them to do so?—I recollect that Mr. Aldjo, the agent of the Earl of Charlemont, the proprietor of the place, and Mr. Patten, a chief constable of police, went through the village to collect as many of the inhabitants as they could to give evidence upon the subject, and they returned and reported to us that they could not get the people to come in; that they were either absent, or would not come.

9281. You mentioned the Orange Association as capable of being made useful in a moral point of view, have you ever yourself tried to make it so?—I have endeavoured to do so.

9282. Out of what occasions did that arise?—It was my custom, when holding the situation of grand master of the county of Armagh, to address the grand lodge at their half-yearly meetings, in a kind of charge, if I may use the expression. At any time that I was prevented from attending personally, I wrote to them. I happen to have one of those addresses, which was preserved solely from the circumstance of its being printed at the desire of that grand lodge.

9283. Will you have the goodness to put it in?—

[*The Witness delivered in the same, which was read, as follows*:]

ADDRESS of the GRAND MASTER of the County *Armagh* to the GRAND LODGE, at their half-yearly Meeting, November, 1819.—Printed at their desire for the use of the several Lodges throughout that County.

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IT is always matter of sincere regret to me, when I am prevented from addressing you in person, at our half-yearly meetings. But I am led to feel that regret, in a more particular manner, upon the present occasion; for never at any time, since the infancy of our association, was there a period, when it was more necessary to impress upon your minds the deep importance of your duties.

For many years it was ours to stand between the constitution and its assailants, between our Sovereign and the rebel to his paternal government; to oppose loyalty to treason. We did our duty, and it pleased Providence to bless our humble but zealous efforts with success; and we fondly hoped that we were about to enjoy the reward of our struggles and our watchings, in the permanent tranquillity of our country. But alas! a dark cloud again appears to rise in our political horizon, which renders it necessary for us, in common with every other well-wisher to peace and loyalty, to prepare for the coming tempest.

I allude to the machinations of desperate and designing traitors in the sister country of Great Britain, who seek the subversion, not only of our glorious constitution, but of the Christian religion altogether.

Under such circumstances the obligations of Orangemen render it impossible for them to stand neuter. An enemy more formidable than any we have had yet to encounter, marches with terrific strides to the combat, and threatens the existence of our dearest interests; hitherto it became our duty to grapple with traitors to an earthly Sovereign—with foes to a national constitution. The foes at whose approach we must now awake from our incipient slumbers, are traitors to the King of kings, assailants of the Christian dispensation. They come forward unblushingly avowing their infidelity; beating up openly for recruits; glorying in blasphemy, impiously scoffing and reviling that faith which is the rock of happiness, alike to poor and rich; the only sure foundation of all their comforts here, of all their hopes hereafter. And terrible are the lengths to which these abominable miscreants have, through the mistaken lenity of our English laws, been enabled to carry their attacks upon our holy religion, in that land which was once proverbially the seat of all that was venerable in law, and all that was pure in religion. Let me, however, do England justice, and say, that these horrid manifestations have been confined, in a great measure, to the very dregs of her population, and to one or two districts, whose local circumstances unfortunately rendered them more peculiarly liable to become the prey of the designing; manufacturing districts, whose inhabitants have suffered sundry deprivations, from the change from war to peace; and who, impatient of sufferings which can be but temporary, and which they feel in common with every other nation under heaven, have been weak enough to become the dupes of those artful villains, who with reform in their mouths, but with robbery, plunder and murder in their hearts, have taken advantage of the irritability of feeling, too often consequent upon distress and privation, to seduce them from loyalty, not only to their King but to their God, from allegiance, not only to the laws but to religion.

Hitherto it has pleased Heaven that our beloved country should have escaped the contagion, but as there is evident preparation making on the part of the enemy to taint our sacred shores with infidel invasion, we cannot too soon awake to our defence, and gird ourselves with manly readiness, to meet and repel the diabolical attempt.

I have often appealed to your feelings, but never did I experience half the interest in arousing them that I feel on this momentous occasion. Oh! my dear brethren, let me solemnly call upon you, in the name of all that is sacred and dear to you as men and as christians, by your love of your country's good, by your anxiety for your children's welfare, by all your fears of Divine wrath, by all your hopes of Divine favour, rouse every spark of Christian feeling within you. Rush to the field beneath the banner of redemption, and fight the good fight, like faithful soldiers of the Great Captain of our Salvation.

We are most advantageously circumstanced, from the nature of our association, to bear our part in this great work. Spread as we are over the face of the land, it is next to impossible that the most subtle enemy can gain footing in it, without our immediate knowledge of the intrusion. Be it your care then to impress upon the minds of every member of your respective lodges and districts, a renewed and unceasing vigilance; let them instantly communicate the first appearance of the foe; the first indication of any feeling hostile to the law or the Gospel; the first attempt at seduction; the first appearance of any suspicious stranger in their neighbourhood, to the nearest magistrate or clergyman or to you, in order to its being made known to the proper authorities. Above all, let them guard their own hearts with all diligence, and cling steadily to their principles as Orangemen, to their faith as Christians, they cannot abandon the latter without forsaking the other also. There are numbers of them suffering under the present depressed state of our linen manufacture, with whom my heart deeply sympathizes. But let me ask, is it in such a moment we are to be called on to forsake our trust in God, and our faith in his Son? Oh! no, my brethren, it is when distress is most afflictive, and earthly aid most distant, that we have the greatest necessity for casting our care upon that Power who is able to relieve, as well as to chasten. Woe, woe to the wretch who would snatch from the poor man this unfailing support in the hour of his trial, this heavenly comfort in the season of his affliction!

I am aware of the proud gratification which filled your bosoms at the successful termination of our struggle with the enemies of our country; but, oh! my friends, what will

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will it be to those sublime feelings which will animate your hearts at the reflection of having borne your part (the part of true Orangemen) in a cause so much more momentous, the reflection of having contributed to save your native land from the pollution of the blasphemer, of having nobly combated in the sacred cause of Christianity against the powers of darkness, and the fiends of infidelity!

May the Divine Spirit, which led our forefathers through the wilderness, direct your hearts to a right consideration of the advice I now offer you as your friend, and the injunctions I lay upon each of you, as your grand master, and stir you up to an immediate and diligent attention to both. This, however, my individual knowledge of each of you, gives me the fullest confidence will be the case, and under that impression, I shall not longer detain you at present.

Wishing you every happiness and prosperity, I remain, your sincere friend and brother,

Dublin, November 4th, 1819. *W. B* [*lacker*], G.M.

9284. What were the peculiar circumstances which existed at that time in England to which you have alluded in this address?—The disturbances in 1819 at Manchester; ours is a manufacturing district, and it was understood that there were delegates coming over to corrupt the minds of our people.

9285. What effect do you think this practice of yours, of addressing the Orangemen, produced?—I am sure it produced the best; I had testimonials to that effect from various quarters of the north.

9286. The case of one Saunders Bell has been mentioned to the Committee, do you know any thing about it?—I do.

9287. He is stated to have been in the yeomanry, in your corps?—He was.

9288. What was his character?—He was as quiet and as inoffensive a man as any in the country, and as good a soldier in his way.

9289. Will you state what you know of his case?—It is now 29 years ago; he was, as I said before, a quiet, inoffensive man himself; unfortunately some members of his family were not quite so, there was a quarrel between some of them and one of his neighbours; I believe it was confined to the females of his family, I do not know that he had a son. As well as I recollect, it arose out of something connected with poultry, or something very trifling; the family with whom the quarrel took place was that of a man named Birmingham. It appears that Birmingham got a summons from a magistrate for some of Bell's family, and went to serve the summons in person. As Bell told me the story, and as he persisted in it to the hour of his death, he was cleaning his bayonet in the kitchen. Birmingham says he took it off the shelf against which he was leaning; at all events it was a matter of the most sudden and unpremeditated nature; he made a blow at Birmingham with that bayonet, he says, to frighten him, but unfortunately inflicted a very severe wound. Birmingham of course lodged informations; a warrant was issued against Bell, he fled the country, returned at the end of nearly three years, I think, and he was taken and tried, under, I believe, what is called Lord Ellenborough's Act. The event took place in 1806, he was tried in the summer of 1809, convicted and executed.

9290. Bell was executed at Portadown, was not he?—He was executed in the town of Portadown.

9291. Was there any particular reason why he was executed at Portadown?—The reason he was executed at Portadown was this: there had been some disturbances of a local nature, at a short distance from Portadown, and they were represented to the Judge, the late Baron M'Clelland, as calling for something to deter the people, and the Baron thought that that might answer, and ordered the execution there accordingly.

9292. Was there any thing of Orangism connected with this transaction, or any thing to implicate the Orangemen?—Not in the most distant way.

9293. Did you ever hear of a rescue being contemplated?—Never.

9294. Could such a thing have been contemplated without your knowledge?—I am pretty sure it could not, possessed, to the extent I was, of information of every thing that was going on in the country.

9295. Do you know whether the sheriff entertained any apprehensions upon the subject?—I know perfectly well that he did not; some time after the execution I saw a letter in the Dublin Evening Post, which stated, that information had been given to the sheriff and to myself of an intended rescue, and that we had got together a large force to prevent it; the thing was totally unfounded, and I contradicted it strongly in the public papers.

9296. Were any of the yeomanry on guard at the execution?—There was a numerous troop of yeomanry on guard at the execution.

9297. Were

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9297. Were you there and with a gun?—I was there; I was stationed as inspecting field officer in Portadown at the time; I was there in full uniform as a major; it is not usual for field officers to carry guns, nor had I such a thing.

9298. Do you know whether the yeomanry were employed to take Bell?—I know they were.

9299. It has been stated that Bell could have been taken sooner had the yeomanry wished it, have you any reason to doubt that?—I have this strong reason to doubt it, that the man was out of the county, and out of their reach.

9300. Do you happen to know of your own knowledge where he was at any time during that period?—I remember his making his appearance in the town of Tuam, in the county of Galway, where my regiment were quartered at the time, he made an offer of himself as a recruit; he wished to enlist into our regiment, but the surgeon would not pass him. I believe he continued a considerable time in the town of Tuam, and I think when we left it, he remained there.

9301. Can you fix the particular period when he was in Tuam?—It was in 1807.

9302. How long did he remain while the regiment was there?—As well as I remember, some months. There was another circumstance connected with the yeomanry being employed to take him, which perhaps it may be right to mention, because it may show that they were in earnest in the business; I was awakened one night, at my residence in the county of Armagh, by an unusual noise about the place, shouting and a clatter of arms; I went out and there were a number of cavalry of an adjoining yeomanry corps galloping about the place, and particularly down towards the river Bann, which runs by my residence. I called out to know who it was that was down there, and they told me they were in pursuit of Bell; he made his escape by jumping into a boat of mine that was moored by the river bank, and one of the yeomen fired after him. The shot must have been fired perfectly in earnest from the direction it appeared to have come in and to have taken, it made a hole in the bow of my boat, and I was very angry; it must evidently have been directed in good earnest at a person in the boat.

9303. Do you know any thing of a boat being attacked upon the Newry canal in 1829?—I know there was such an event.

9304. Was there any thing of Orangism in that affair?—None in the world, as far as I could learn; it arose solely from the exportation of a large quantity of potatoes, which gave general offence in the country.

9305. Did you hear that any of the party were armed?—I heard that several of the party that attacked the boat had arms.

9306. Did you hear that any of those arms were yeomanry arms?—I was informed that one yeoman of mine had taken a part in the transaction; I called him to account for it, and the man put in a most solemn affidavit to the contrary.

9307. Did you ever hear of one Tommy Downshire?—Very often.

9308. Do you happen to know of what description of persons as to religion his troops are composed of?—Tommy Downshire is a nominal character; the Captain Rock I would say, or the Swing of our district. He publishes occasional manifestoes and notices to his troops, as he calls them, to assemble; I believe those who obey his summons and act under his command, are of the lowest grade of all religions.

9309. Have you any doubt that it was by those troops that the boat was attacked?—None in the world.

9310. Had you any opportunity lately of seeing any demonstration on their part?—I had very recently; there was a dispute respecting a parcel of turf bog on an estate adjoining mine, about the month of May last. Tommy Downshire interfered in the business and ordered his people to appear on the disputed ground. I happened to be a little distance from home, a short mile, when I saw Tommy Downshire's men proceeding to the bog, and where they collected in our country such a set of ragamuffins I am at a loss to conceive; I know there were fellows among them of all religions, if indeed they can be said to have any religion.

9311. Will you state what was their appearance, were they armed?—They had no fire-arms; most of them had large bludgeons, and they were going yelling along the road.

9312. Were they in great numbers?—I should think there might have been about 50 to 60 of them. There were a number of people looking on at them and mostly laughing at them.

9313. What are supposed to be their particular objects?—Their general objects appear to me to interfere as in cases of that kind, when landlords wished to do what

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what they pleased with their own property; to lower rents, and to interfere with prices and wages, and matters of that kind.

9314. In fact, it was a species of mob legislation in their own way?—Exactly, a species of mob legislation.

9315. Do you know any thing about drums or music in an evening in your part of the country?—Yes; I hear them very frequently.

9316. Is it a new or an old custom?—The music is a very old custom; much older than I can recollect. The drums are rather a later addition; I know that the musical part of it has been an old custom, from the circumstance that my father used to purchase little flutes and fifes and give them to the boys of the country, to amuse themselves with, many years ago. I am not sure but that I have heard him say that his father did it before him. It was the custom of the boys of the country to amuse themselves with music after the day's labour.

9317. Are the tunes always, or even generally, party ones?—I do not think they are; they sometimes play what are called party tunes, but in fact it is very hard to know what a party tune is.

9318. Is "the Boyne Water" a party tune, in your opinion?—That is hard to give an answer to, because "the Boyne Water," as I have heard, was a Jacobite tune composed by a Roman Catholic, in reference to the battle of the Boyne, whether as King James's march, or a lamentation after it, I am not exactly certain, but from the Irish name of it, I should say it was the march to the Boyne.

9319. What is the Irish name?—Marchechaid ne Buinne, signifying the cavalcade of the Boyne.

9320. Is "Croppies, lie down" a party tune?—I do not consider it so, because I think any person that would take offence at it as a party tune, must have identified himself with the rebels who went by the name of Croppies.

9321. What is your opinion as to "Patrick's Day" and "the White Cockade?"—"Patrick's Day" is a tune that has been regularly looked upon as a party tune by the Protestants, taken up in that way, and it is a very foolish thing on all sides, I think, attaching so much importance to tunes; but "Patrick's Day" is certainly considered by the Protestants in my country as a party tune. "The White Cockade" I have known as a party tune upon the one side and a party tune upon the other; I remember that when Louis the 18th was restored, "the White Cockade" was played by the people who were friendly to him: I remember "God save the King" being made a violent party tune.

9322. You know that in Dublin theatre "God save the King" is played, and if any body does not take off his hat, some loyal person is found to assist him?—Yes, I have heard that. In 1797 they sang in Belfast "God save the Guillotine, that beheaded both king and queen."

9323. Were you ever applied to by Mr. Patrick M'Connell to take certain affidavits against Dean Carter and others?—Yes, I recollect it very well.

9324. Did you take them?—I did not.

9325. Can you explain that circumstance?—I recollect one day in Portadown I had attended, not on a regular sessions day, but on a day especially appointed to take informations against a number of persons for a riot, and to take bail of them, it occupied the greater part of the day, and I was the only magistrate present; at the conclusion of the business Patrick M'Connell put certain affidavits into my hand, and requested that I would take them; I looked at the affidavits, and I found that they contained charges against a magistrate and several gentlemen residing in a different district from that in which I acted as a magistrate; I told him that I was there alone, and I requested that he would not ask me to take those affidavits upon that occasion.

9326. Were you again applied to, and how did you act?—He afterwards applied to us in petty sessions; I think there were three magistrates present; in the interim I had made some inquiries upon the subject, and I had good reason to think that one of the persons whose affidavit was tendered was about to commit a deliberate perjury; I stated this to my brother magistrates; we also took into consideration the fact that there were two or three very respectable magistrates in that district in which the transaction had taken place, and we saw no reason why we should interfere with what we considered their legitimate duty, they not having, as it appeared to us, been applied to in the first instance; and under those circumstances the bench of magistrates at Portadown declined taking those affidavits.

9327. Did you act similarly with any other person?—I had a person came from the neighbourhood of Lurgan, and wished me to take informations against a magistrate

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a magistrate there, Mr. Hancock, for an assault; I took down the heads of what the man had to say, and I transmitted them to that magistrate as a matter of courtesy, requesting him to put himself in my place, and tell me what he would have me do. He wrote me for answer that he considered himself as amenable only to the Court of King's Bench, and I did not take the information, it being out of my own district as well as the other.

9328. Do you recollect the time the same Mr. M'Connell bringing persons before you for a riot at a place called Ballyhegan?—I do.

9329. Will you state the particulars to the Committee?—There was a large number of persons brought before me for a riot and procession; there was cause and cross cause; M'Connell conducted upon the one side, and was the first to bring on the matter.

9330. Was there any particular circumstance that led you to judge of the feelings of the people towards each other upon that occasion?—There was; exclusive of the general tone of the people out of doors, there was one circumstance that made a particular impression upon me; after I had taken the informations, and the people were giving bail, there was a delay in the bail of one of the Orange party coming up; an old and respectable Roman Catholic, who had been giving bail for one of that party, came forward and said, you shall not want bail; I would as soon bail you as any of my own sort.

9331. Do not you think that a humane and well-minded man should have availed himself of that circumstance in the way of pacification?—No doubt he should, and if matters had gone as I had wished them to have done, I certainly would have availed myself of it, to impress strongly upon the Orangemen the propriety of living at peace with such neighbours; but I think Mr. M'Connell prevented the agreement of the parties.

9332. Will you state the Ballyhegan business?—There were 34 men brought before me, 17 on each side; the examinations of one party were opposed diametrically to those on the other side; when the examinations had been prepared and ready to be sworn to, I addressed those people, and I said to them, "I see before me 34 men, 17 on each side, about to swear diametrically opposite to each other; of course in the eye of Heaven one party of those must commit perjury, it is not for me to say which; but I consider it my duty as a christian man to avert such a sad contingency if in my power; I merely throw out this in the hope that perhaps before things go to an extremity, there may be an agreement; I am ready to do my duty as a magistrate, but I conceive I am not going beyond my duty in throwing out this suggestion." Mr. M'Connell immediately got up and told his party, the party he was employed for, that there could be no agreement, or should be no agreement till the Orangemen had first given a pledge that they would never walk in procession again; there was an immediate cry out from the lower part of the place, "No surrender," and all idea of conciliation was at an end, and I then proceeded to take the examinations, and held the parties to bail.

9333. At what period was this?—In 1832.

9334. You stated that you held a commission of the peace in the county of Armagh for several years; do you hold it at present?—I do not, thank God.

9335. How happens it that you do not now hold a commission of the peace?—I was removed from the commission of the peace by Lord Chancellor Plunkett.

9336. Will you state the cause of the removal?—I have never been able to obtain any satisfaction upon that subject; I have sought for it from all the quarters from which I supposed it might be obtained, but I have never been favoured with any communication as to the offence proved against me which led to my removal, and I am totally unable at this moment to state the actual proved cause. There was an investigation at Portadown at which certain circumstances were investigated respecting a procession of Orangemen at my house on the 12th of July 1833. The only evidence on that point produced upon that occasion was a young gentleman named Woodhouse; he deposed that he accompanied a number of Orange Lodges from the town of Portadown to my residence, that he heard me addressing them, and that in consequence of what I said to them they went off about their business. He was asked whether I wore any Orange decorations: he swore that he saw none; he was then asked if he had seen the ladies of the family on that occasion, or any of the servants, and how they were dressed: he deposed to having seen some bit of orange riband, or something of that kind, about the person of Mrs. Blacker and some of the females. The first thing, if I can call it so, in the shape of any information upon the subject, was the reply of Mr. Stanley, now Lord Stanley, to a question

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a question put by Mr. Shaw, the recorder of Dublin, in the beginning of 1834, in the Houes of Commons, when Mr. Stanley said that my removal was occasioned by that circumstance.

9337. What was the date of your removal?—In October 1833.

9338. Was it previous or subsequent to the burning of Mr. Hancock at Tanderagee?—It was subsequent to that.

9339. Were the circumstances of your removal at all connected with the transactions relating to Tanderagee?—Not in the least.

9340. The procession in consequence of which you were removed was previous to the burning of Mr. Hancock, and you were not removed till the following October?—Yes, the procession was in July. I was furnished with no charges whatever. One of my special causes of complaint, if I were disposed to complain upon the subject, is, that the first intimation I ever had upon the subject was in a letter dated Dublin Castle, the 12th of October 1833; this is a letter from Mr. Littleton; he says: "Sir,—Several charges affecting your conduct as a magistrate having been received by Government, and communicated to you, and your replies and observations on those charges having been also taken into consideration, and it appearing to his Excellency that much injury has been done and much obstruction offered to the course of law by the omission to take certain informations, and that the reasons and grounds on which you have attempted to justify such omission are highly objectionable, his Excellency has thought it necessary to direct a strict investigation to be made into the entire subject by the Lieutenant of the county. Lord Gosford, before whom it is necessary that this investigation should be conducted, will communicate to you the time of his intention to repair to Portadown for that purpose; but his Excellency has deemed it right that you should receive from myself this early notification of the direction he has given." It was no wonder I was astonished at getting that letter, because it was the first intimation I ever heard of any charges having been given in against me; consequently my replies and attempts at justification to which Mr. Littleton alludes were matters of which I had not the slightest cognizance.

9341. Was that investigation held at Portadown?—Yes.

9342. Are you aware of the nature of the report made in consequence of it?—I never could get any information upon the subject. I answered Mr. Littleton's letter: "Sir,—I have this day had the honour of your letter of the 12th instant, which I confess has occasioned me no small amazement. It states that several charges affecting my conduct as a magistrate having been received by Government and communicated to me, and my replies and observations on these charges having been also taken into consideration, and further, that the reasons and grounds on which I have attempted to justify such omissions are highly objectionable, &c. &c., now, sir, I do most solemnly declare that your letter of this day is the first and only intimation I have received of any charges having been made against me for obstructing the course of the law by omitting to take certain informations, consequently that my replies and observations are things of whose existence I am wholly unconscious; may I be permitted respectfully to solicit the time and channel of such intimation, and a copy of any reply or observation of mine relating thereto, as the entire is a mystery to me. I have been in communication with the Government, both directly and through the Earl of Gosford, on the state of this part of the country, and have taken the liberty of offering sundry suggestions arising out of my local observation and knowledge, and had some reason to believe that those suggestions had been received with a corresponding feeling to the motive which dictated them; but in no one communication with which I have been favoured am I able to trace the most distant allusion to any charges having been made against me. I am aware that attempts are now making to drive from the bench almost every man of respectability; I know perjury has been resorted to, and it may be that forgery has been resorted to in my case, particularly as I have been absent for some weeks. Trusting that I shall be considered, under such circumstances, as justified in requesting these charges, &c., I have the honour to be your very obedient servant, William Blacker."

9343. Did you receive any answer to that letter?—I did; this is dated October the 17th 1833: "In reply to your letter of the 15th instant, I beg to remark that my letter to you was written by direction of the Lord Lieutenant, who felt that it was due to you as a matter of courtesy that you should receive from myself the earliest intimation of the investigation which his Excellency had thought it right to call on the Lieutenant of the county of Armagh to institute into the illegal proceedings

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proceedings at Tanderagee and Portadown. The official communications on these subjects have been of course given to Lord Gosford, to whom all the original papers connected with them have also been sent; I must beg, therefore, now to refer you to his Lordship for the more detailed information to which you are entitled." It appeared from this that my Lord Gosford had received the papers and the charges against me, and his Lordship had not thought proper, for what reason I cannot conceive, to honour me with a single communication upon the subject. I was one of his oldest friends, I was one of the oldest magistrates upon the roll in the county, I had lived with his Lordship on terms of the happiest intimacy from childhood, and yet, strange to say, till I got that letter of Mr. Littleton referring me to Lord Gosford for the charges against me, I was totally unaware of them. I would also mention, that at the time I got that letter from Mr. Littleton referring me to Lord Gosford to find out what the charges were against me, the investigation had actually commenced.

9344. In your absence do you mean?—No; the investigation had commenced at Tanderagee.

9345. Were you present at that investigation?—Yes, I was. On the receipt of Mr. Littleton's first letter, I had written a note to Lord Gosford to know what it referred to. I received a private note from him, in which he says, "With respect to your private letter, I have to state that the charges against the Portadown magistrates"—the Committee will observe he uses the plural number, he does not refer to me individually,—"against the Portadown magistrates are contained in the correspondence which passed between yourself, the Government, and myself, and refers to the processions at Portadown on the 12th of July last, the supineness of the magistrates upon that occasion, and their rejection of the informations tendered against processionists." Out of that piece of tri-partite vagueness, "myself, himself and the Government," I was to get out as well as I could, what were the charges against me as a magistrate.

9346. Have you ever, from that time to this, seen those letters which were attributed to you?—Never.

9347. They have never, upon any one occasion, been shown or produced to you?—Never.

9348. And you never did write such letters?—The only letter I ever wrote upon the subject was in the month of July; indeed, I wrote twice, I may say. I have mentioned an Orange procession coming to my house. I went out, and addressed them; I told them they were acting contrary to law. It is but fair, with regard to the men, to observe that the existence, or the extent at least, of the Anti-procession Act was not generally known at the time; it had been so very recently passed that I believe numbers of them were acting in error. I addressed them; I told them they were acting contrary to law, and that, as a magistrate, I was compelled to desire them to disperse in 15 minutes. There was an immediate cry, "Sir, we will be gone in five;" and they instantly commenced moving off. There was a great stress, I have since understood, laid upon their going off in the same manner in which they came. It was impossible that they could have done otherwise. In order to arrive at my place they had come two miles of a narrow road, crossing a bridge; they were obliged to return by the same road, and to re-cross that bridge, before they could separate to their different abodes. The manner in which they went along that road I had no opportunity of seeing; for, in the first place, after dismissing them, I returned into my house, and even if I had been outside the house, the plantations would have prevented my seeing them. As soon as they were gone, or at least very soon after, I sat down and made a report to the Under Secretary, for the information of the Lord Lieutenant, of what had taken place. Some time afterwards I received an official letter from Lord Gosford, saying, that he was desired by the Government to call upon me for an explanation of the transactions of that day. I returned an answer to his Lordship very much in substance as the report I had previously made to his Excellency; and these two letters were the only communication which I had upon the subject. The Committee will observe that part of the allegation against us, not me individually, but against the magistrates of Portadown, was a refusal to take certain informations. Perhaps the best explanation I can give upon that subject will be the one that was handed in at the time of the investigation at Portadown, and which, from subsequent circumstances, I had reason to think had done away that charge:—"Explanatory Statement, on behalf of the magistrates at Portadown.—Subsequent to the assizes, the country was in a state of excitement, such as my recollection cannot

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cannot parallel. It was not a transient effervescence, a momentary ebullition of popular feeling, or confined to the rabble or unthinking portion of the people; it was a fierce, stern exasperation, in which men of sober mind and religious habits evinced an extensive participation; it was general, it was deep-rooted, springing, as it seemed, not from ordinary party feeling, but from a wide spread alarm of endangered liberty, endangered by the statute prohibiting the manifestation of political sentiments. At this time the chief constable at Portadown acquainted the magistrates that the police under his charge had taken down the names of a number of persons in the vicinity who had been in a procession on the 12th of July, and wished to have examinations taken. Finding there was no other charge against these persons, and aware that Judge Moore had reserved a point upon the subject for the consideration of the Judges, I considered it advisable to communicate with the Government on the subject, and I accordingly wrote to Sir William Gosset, suggesting what appeared to me the propriety of postponing the taking the examinations, at least until the Judges should have decided the point reserved. There was another case came before us at the same time, in which assaults had taken place, and the peace had been broken. In this case there was not the same ground for doubt or hesitation, and nearly 40 persons were held to bail for trial at the next assizes. The reply of Sir William Gossett is annexed hereto, and the inference drawn by us from the wording of that letter was, that we were to await the opinion of the Attorney-General on the subject. We may have come to this conclusion erroneously, but we came to it conscientiously. This letter is dated August 3d, and the case lay over until the 30th, when the chief constable again came forward to press the examinations by the command of another and senior chief constable in Armagh, who stated himself to be acting under the orders of the Crown Solicitor. It struck me, and I believe the other magistrates, as rather unwonted and irregular to have our conduct directed through such a quarter or quarters; and I expressed myself to that effect to Mr. Hamilton, the Crown Solicitor, to whom I explained the real cause of the delay, and our desire to receive directions from the proper authority. The result was, our receiving the letter of Sir William Gosset hereto annexed, dated September the 6th, directing us to act, which we at once proceeded to do, and the accused persons were summoned to appear at the petty sessions. In the interim, and prior to our hearing from Sir William Gosset, I had written to the Earl of Gosford, expressing my decided conviction, from my observations and knowledge of the country, that its peace, and the general harmony of its inhabitants, would be better consulted by not proceeding in the case, with sundry observations on the subject in general. On the day for which the accused parties were summoned, I received the annexed letter from Lord Gosford, stating his Lordship's intention to lay the subject before the Government on his way to the county. This letter I thought it right to lay before the other magistrates, and their opinion was, that as Lord Gosford's arrival was daily expected, it would be but a proper deference to him to wait a few days longer, particularly in a case where the parties were generally respectable men, resident in the immediate vicinity of our office, and which could not be brought to trial before the month of March next. A domestic calamity called me from home immediately after, and on hearing, on my return, on the night of Monday last, the 14th, that Lord Gosford had arrived the same evening, I despatched a letter the next morning the 15th instant to his Lordship, requesting to be informed of the result of his communication with the Government, with a view to our acting accordingly. I then learned from his Lordship, that another magistrate had been directed to do the duty!!! On this measure I shall not venture to make any comment, but content myself with the assertion, that if it has been resorted to from any statement made to Government of the magistrates having been actuated by either supineness, timidity, political bias, dereliction of duty, or any other sentiment unbecoming their situation and oaths, the force of malignant misrepresentation can go no further than such an allegation. Our sole motive has been the peace of the country, in which we have more solid reasons for being interested than any member of the Government can be expected to be. Not that hollow peace (if peace it can be called) which arises from the prevented collision of hostile parties, or that open field warfare which prevailed a few years since, but its divine adjunct, that 'good-will among men,' which is calculated to better the heart and smother party asperity altogether. We could easily have taken the examinations, and held the accused to bail, it involved not the slightest risk to ourselves or the public peace, generally speaking; but we looked far beyond any consideration of

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that nature, and conceived it our duty to do so. We looked more to bettering the spirit of an extensive and populous district than to the incarceration of a few individuals for a month, only to come forth from their durance with an increased feeling of party exacerbation. Our view may have been an erroneous one, we lay no claim to infallibility, whatever we do to honesty of purpose, and most happy shall we be to find eventually that we have been mistaken. For myself, I would be permitted to say, that I have laboured to promote the state of good feeling above alluded to by all the means in my power, and this from a higher and more imperative, than a mere magisterial motive. I should not make the assertion were not the thing well known; indeed the extent to which I have carried the exertion has cost me much loss of influence. I have only to add, that if, after this detail of facts, which I am prepared to verify by the solemnity of an oath, blame should be considered attachable, I request it may rest upon me; for although the magistrates of the district are perfectly independent gentlemen, and at least as intelligent as I can pretend to be, still I have reason to think, that my observations had considerable weight with them on the matter in question; as from local circumstances I had greater opportunity of ascertaining the true state of public feeling than others of them had. October 18th. (signed) William Blacker."—That was a statement of the facts with regard to that matter, and from what has transpired since, I have reason to believe, that statement had its due effect, because I understood, that the whole of the offence was limited to the transactions at my house on the 12th of July 1833.

9349. Have you any thing further to state upon this subject?—On the first intimation given by the speech of Mr. Stanley, now Lord Stanley, to which I have alluded, in which he stated my offence to have been the permitting an assembly of Orangemen at my house on that day, I had some affidavits made, which were sent to the Lord Chancellor, not with a view to my restoration to the commission of the peace, because I do not know any consideration that would tempt me to return to the office; but merely as a means of bearing out my numerous friends in the good opinion they have been pleased to form of me, as connected with these transactions. These are the affidavits: "Stewart Blacker, Esq., barrister-at-law, deposeth, that in the month of July 1833, he was on a visit at his uncle, Lieutenant-Colonel Blacker's house, of Carrick, in the county Armagh; that on the morning of the 12th of July he accompanied his said uncle, who had business, and was in the habit of going every Friday (being market day) to the town of Lurgan five miles distant from Carrick, from which they returned some time before noon, without having seen on the road the slightest indication of any assemblage of people whatever; that some time after their return, a number of persons in procession approached the house, on hearing the noise of whom, he and his said uncle, who was in the house, went to the door; that he accompanied his uncle, who went out and addressed those who appeared to be leaders; heard him tell them that they were acting contrary to the law, and that the late Act obliged him to order them to disperse within 15 minutes; that he (Colonel Blacker) further desired them, in the strongest terms, to repair to their homes without breaking the peace, or giving or taking offence; there were immediate cries from the persons addressed, 'Your honour, we will be gone in less than five minutes;' that the people immediately moved away from the place, and Colonel Blacker returned into the house; that the people did not remain longer than sufficed for his uncle, Colonel Blacker, to order them to disperse, as above stated; deponent has heard and believes that the persons composing the assemblage so addressed by Colonel Blacker, had come from beyond Portadown, and that it was necessary for them to retrace two miles and cross a bridge, in order to arrive at the point from whence they could diverge to their respective abodes; that it was impossible for Colonel Blacker to have seen in what order they moved along the road, he being in the house; further states that he heard Colonel Blacker order the removal of some laurel branches and Orange lilies which had been fastened to the pillars of the gate, as deponent believes, by some of the workmen about the place on the approach of the processionists; deponent subsequently accompanied his uncle for several miles through the country around Carrick, which appeared perfectly quiet; deponent further states, that he considers Colonel Blacker was acting upon the occasion to what he conceived the full extent of his magisterial duty, nor does he conceive that any magistrate similarly circumstanced could have done more towards the vindication of the law. (signed) Stewart Blacker. Sworn before me this 10th day of March 1834. (signed) W. H. Algeo, J. P. County Armagh."

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9350. Is the gentleman who swore that affidavit Mr. Stewart Blacker, who was examined as a witness before this Committee?—He is. The second affidavit is, "County of Armagh, to wit. Robert Summerville, of Knock, in said county, maketh oath and saith, that he is a labourer, and works occasionally about the house of Colonel Blacker, of Carrick; that on the 12th of July last, he, this deponent, together with James Fletcher, a carpenter, on hearing that some lodges of Orangemen were coming along the Portadown road towards Carrick, got some branches of laurel and Orange lilies, and affixed the same to the pillars of Colonel Blacker's gate; saith that Colonel Blacker threatened to send them both to gaol for so doing, and ordered this deponent to remove the same, which deponent proceeded to do. (signed) Robert (his × mark) Summerville. Sworn before me this 15th day of March 1834. (signed) C. Woodhouse." The third affidavit is, "County of Armagh. James Fletcher, of Drumnacancry, carpenter, maketh oath and saith, that he assisted Robert Summerville on the 12th of July last (as stated in the foregoing affidavit) in affixing some laurel and lilies to Colonel Blacker's gate, for which Colonel Blacker reproved them, and threatened to send them both to gaol. (signed) James Fletcher. Sworn before me this 15th March 1834. C. Woodhouse." Those were the details of the facts, and from that hour to this I have never been favoured with any communication upon the subject; nor, if I was upon my oath, could I state further than from the hearsay I have mentioned, the cause of my removal, except that it might have been intended at the moment as a grand *coup d'état*.

9351. Are you aware of the existence of Orangism in Upper Canada?—I have heard a good deal of conversation about it.

9352. What effect do you conceive it is likely to produce?—From communications that I have heard of, I have great reason to believe that the preservation of Lower Canada to Britain may very shortly depend upon the Orangism of Upper Canada; Upper Canada is densely peopled from the north of Ireland; I believe I may say eight-tenths of its population literally have gone from the province of Ulster; vast numbers of them from the county of Fermanagh; I cannot of course be expected to speak of my own knowledge of things at that distance, but I have heard of communications, stating that they were watching with an anxious eye the proceedings of the Government of England towards the Protestants of Ireland, to see what part they would take as to assisting England in the preservation of Lower Canada, and much would depend upon the conduct of Government in that respect.

9353. Who are these parties whom you describe to have held this language; were they the Orangemen in Canada?—Generally speaking; whether they are actually in lodges or not, I cannot say; but I believe they all have their lodges there; I understand there have been letters received to that effect in my part of the country.

9354. Can you state the name of any body who wrote?—I understand there was a man of the name of Twining got such a letter.

9355. Do you mean to say, that the Orangemen in Upper Canada have communicated with Ireland, stating that they are watching attentively the conduct of the English Government towards the Protestants of Ireland, for the purpose of directing them in the part which they should take, as to the defence of the province, in the approaching struggle in Canada?—Yes, I have heard it spoken of, both in my own county and in Belfast.

9356. Then, in point of fact, they were disposed to make their allegiance to the British Government in Canada depend upon the conduct of the Government to the Protestants in Ireland?—I do not say any thing about their allegiance; but that the conduct of the Government here would a good deal determine their conduct.

9357. What is the struggle to which you alluded in Canada?—The strong disposition that is stated to prevail among the French party, the anti-British party, in Lower Canada, to separate that county from Great Britain, and to throw off the British yoke.

9358. Do you mean to intimate, that their devotion to the British Crown, and the measure of their exertions, would in some degree be regulated by whether the British Government take part with the adversaries of Protestantism in Ireland or not?—Yes, the communication was to that effect; that it depended a good deal upon the conduct of the British Government towards the Protestants and the Protestant institutions in Ireland; of course the whole of this was hearsay.

9359. You have no doubt that such communication did come from many persons

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to their friends in Belfast and in the north of Ireland?—I have no doubt upon the subject, from the way in which I heard it talked of generally.

9360. From the general character of the persons from whom you have heard it, do you believe it to be a fact?—I believe there is a great deal of foundation for it.

9361. Did you ever hear that the course of policy of late years pursued by the British Government has caused many Protestants to emigrate from Ireland in disgust?—I have heard that it has.

9362. Do you know it of your own knowledge?—I do not know it of my own knowledge; I have never conversed with any person under those circumstances.

9363. Have you any doubt of its being a fact?—I have not, from what I have heard.

9364. A great many thousand Protestants have emigrated within the last four or five years from Ireland?—A great many; I have had a good opportunity of seeing the extent to which emigration was carried, from the circumstance of my residing immediately adjoining one of the great passes from the west of Ulster to the great emigrating port of Belfast, which is the village of Portadown, adjoining me, and have seen the stream of emigration flowing along through that village for many years.

9365. Do not Roman Catholics emigrate as well as Protestants?—Not in the same proportion, I think.

9366. What are the particular effects produced by the policy of this Government towards the Protestants that have induced them to emigrate; are the Protestants in the north of Ireland less secure in their lives and property than they were; and if so, is that diminution of security in consequence of the change of the policy of Government?—I do not think we actually are less secure in our lives and properties; for, God be praised, we have hearts and hands to defend them, and no fear upon the subject; but there are a vast number of persons who apprehend that they are in danger; I am not one of the number who feel that there is that danger myself, but I know that has gone to a great extent among other people.

9367. But you trust rather to your own hearts and hands than to the protection of the Government?—If it came to necessity we would act, no matter what the opinion of the Government was; and I should think we should be justified in doing so; we would act as our forefathers did.

9368. In some parts of Scotland it is found that many respectable persons have emigrated, with a view to better their condition; is not it possible and even probable that the same motive which has induced respectable people to emigrate from parts of Scotland, may induce respectable persons from the north of Ireland?—No doubt there are a great many people emigrate, for the purpose of bettering their condition; I do not mean to say that the great bulk have gone from the fear that has been spoken of; I believe that great numbers have gone, like the swarming of a hive, because the population was getting too numerous.

9369. To better their condition?—Yes.

9370. As those brave men of whom you have spoken, Orangemen, with hearts and hands to defend themselves, in the north of Ireland, would be incapable of being influenced by fear, must it not have been solely to better their condition?—A great many went to better their condition; but there is no doubt that many, not so much from my part of the world as from others, such as the county of Limerick, have gone from those motives; I have heard that there were a set of people called Palatines; but these are matters on which I can give no accurate information.

9371. Is it your opinion, from all the opportunities you have had of coming to a knowledge of the fact that the Orange institution, in a general point of view, has contributed and is calculated to contribute to the peace of the country, or otherwise?—In my opinion it has materially contributed to the peace of the country rather than otherwise.

9372. Do not you conceive that the knowledge that there is a Protestant Association to that extent in existence, has a tendency to repress a spirit of insurrection, and might at some future period have a tendency to repress a forcible attempt at the separation of the two countries?—I have no doubt of it.

9373. If the conduct of the Government at home towards the Protestants in Ireland was not acceptable to the Orangemen in Canada, might not that circumstance be detrimental to the peace of that province?—That is really matter in which I can form no opinion upon the subject.

9374. You were major in the Armagh regiment of militia for a long time?—I was; I was captain first, and then major, and then lieutenant-colonel.

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9375. Were there in that regiment a number of Orange Lodges established?—There was an Orange Lodge in that regiment; I am not aware of more than one.

9376. Were not there Orange Lodges to your knowledge established in many of the regiments of militia?—I have no doubt of the fact.

9377. Were not they established in almost all the northern regiments of militia?—I dare say they were, but I cannot say from my own knowledge.

9378. From your high station among the Orangemen, and your knowledge in general of the Orange institution, do not you believe that there were many Orangemen among the officers in the regiments?—I have no doubt of the fact.

9379. Are not you aware of many of them being established in the army?—I believe there have been Orange Lodges in the army.

9380. With regard to the yeomanry, you yourself command the Seagoe corps with 320 in it?—Yes.

9381. You thought there was one Catholic, from the circumstance that occurred?—Yes.

9382. But the only ground for supposing that there was one Catholic in a corps consisting of 300 was, that the men were joking with him for having drank whiskey with the money which was given to him by his wife to go to confession?—So I heard.

9383. But that does not prove that he was a Catholic?—I know nothing further than that.

9384. Are not most of the yeomen in the north of Ireland Orangemen?—I should think and hope that they all hold Orange principles, though I do not know whether they belong to Orange Lodges.

9385. From the prevalence of Orange Lodges throughout the north of Ireland, do not you think it is likely that they are composed of a great majority of Orangemen?—I dare say there are a great many Orangemen among them, but I know many corps in the north of Ireland that have had Catholics among them; there was one corps commanded by my uncle, in the county of Derry, in which there were many Catholics; I have heard him say so.

9386. Have not you reason to know that in the north of Ireland there are very few Roman Catholics in the yeomanry?—I believe very few, in fact, they rarely offered themselves.

9387. The oath of the Orangemen was altered, was it not?—The oath of the Orangemen was done away with.

9388. Was not there an alteration in the oath when it existed?—I do not recollect that circumstance.

9389. Do you recollect the original oath?—I can hardly recollect it.

9390. Were not the first rules and regulations those adopted in 1799?—No, they were from the commencement.

9391. The Committee have no information of any oath previous to 1799, do you recollect the oath taken previous to the year 1799, when the Orange institution was first formed?—I think I do recollect the oath first taken.

9392. Can you give the substance of it?—The substance of it was this, that they would bear true allegiance to the King, and be true to one another, and not divulge the secrets and the pass-words.

9393. Do you recollect the yeomanry oath?—Yes.

9394. What is your yeomanry oath?—"I do swear that I will be faithful and bear true allegiance to His Majesty King WILLIAM the Fourth, his heirs and successors, and to support the laws and constitution of this kingdom, and the succession of the Throne."

9395. That is the only oath that is administered to your corps, and that you are aware of having been administered?—I never heard of any other.

9396. That oath is required to be administered by Act of Parliament?—We are under a penalty of 500*l.* if it is omitted.

9397. With respect to the investigation at Maghery, do you recollect the names of the magistrates who attended, was there Mr. Atkinson?—Mr. Atkinson was the senior magistrate there.

9398. That is Captain Atkinson to whom you alluded, who gave you the information about the battle of the Diamond?—Exactly.

9399. He has been a long time an Orangeman?—I imagine from the beginning.

9400. You yourself hold a high situation in the Orange body?—Yes.

9401. Colonel Verner was another of the magistrates?—Colonel Verner was there.

9402. He also holds a high official situation among the Orangemen?—Yes.

9403. Mr. Ford, another of the magistrates, was not he an Orangeman?—He was not at the investigation at Maghery, I believe, he was at the Lurgan investigation.

9404. Is not he an Orangeman?—I believe not.

9405. Mr. Woodhouse, is he an Orangeman?—He is not; he was one, but he has long since ceased to take any part.

9406. Was he an Orangeman at the time this meeting was held in Maghery?—No, at least he had ceased to attend the meetings.

9407. Was not Mr. Hardy also another?—I believe so.

9408. Was he an Orangeman?—No.

9409. Was he suspended as a magistrate by the late Lord Chancellor Sugden?—I believe he was.

9410. For what was he suspended?—I do not know of my own knowledge.

9411. Did you read the public documents upon the subject?—I did.

9412. The seventh magistrate was Mr. Aldjo, the agent of Lord Charlemont?—Yes.

9413. Mr. Hancock was the eighth magistrate?—He came in, I understood, at the close.

9414. Was not Lieutenant-Colonel Wingfield also among the magistrates?—He was there as a spectator.

9415. Did he take any active part upon the occasion?—No, he did not interfere.

9416. Is not he an Orangeman?—He is.

9417. Was he at that time a magistrate?—No, he was merely a spectator.

9418. Did he not sit upon the bench?—We have no bench, we sit round a table in a very cold room.

9419. Then the bench was composed, according to your own account, of yourself and of Colonel Verner, holding a high rank among the Orangemen; Mr. Atkinson, who had been an Orangeman, Mr. Woodhouse, who had been an Orangeman, Mr. Hardy, since suspended by Lord Chancellor Sugden, the Chancellor of the late Government?—I beg leave to say, however, that I consider Mr. Hardy an exceedingly proper man, as much so as any in our county; my opinion is that, if Mr. Hardy had taken the precaution of swearing in the people as special constables, instead of going in a hurry with them, and not doing so, he would have retained his situation.

9420. Do you not think, from the Orange complexion of those magistrates, that the Catholics of Maghery would naturally enough not like to have a question between them and the Orangemen decided by those magistrates?—I can only speak for myself, I know that I went strongly determined to do all in my power to punish the persons who committed that outrage; that I had a personal regard for some of the people of Maghery, and I believe they placed the greatest reliance upon my doing my duty in their favour. I have had that from themselves.

9421. Was not there great difficulty in procuring witnesses from the village of Maghery?—Very great difficulty.

9422. How do you account for that?—I account for it in this way, that a great number of the Maghery people were the original aggressors in the transaction, they were afraid of that being brought against them.

9423. Are you aware that 10*s.* was the sum by agreement that the Orangemen were ready to take for the injury which they sustained, and the outrage committed upon them in the town of Maghery?—I never heard of an agreement upon the subject; I think upon recollection I remember hearing them say, that if they had got the price of their drum broken on the Saturday, the outrage would not have been committed, but, as my memory serves me, that was between the first aggression and the retaliation.

9424. Was the evidence of the riots at Maghery sent down to you to prosecute?—No.

9425. You forwarded a communication to Government at the request of the magistrates?—Yes.

9426. In that report you gave not the evidence, but you gave a report from yourself of the substance of the evidence?—Yes; I gave the evidence as well as I recollect; the evidence was not well taken down, it was taken down chiefly by a very young lad, a nephew of mine, who happened to be there; it was not taken down with that full correctness with which evidence would be taken here.

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9427. Was not there a meeting at Rich Hill of the Grand Lodge of the county of Armagh recently held?—Yes.

9428. Was not the conduct of brother the Rev. James Blacker brought before the lodge by brother Dr. Patten, for writing a letter to Lord Gosford, which was used in Parliament by Dr. Lushington?—I recollect he was asked a question upon the subject.

9429. What was the result of it?—There was no result whatever.

9430. Are you aware that the doctor moved the expulsion of the Rev. James Blacker?—No such thing.

9431. And it was found by the rules that six months' notice was required to be given, in consequence of which it was withdrawn?—No such thing.

9432. Were you at the lodge?—I was in the chair, and no such thing took place.

9433. But was he not brought to account about the letter which he wrote?—He was asked about the letter which he wrote to Lord Gosford, and my brother answered that he was extremely sorry he had not a copy of the letter with him, that he would have brought it had he known there would be the slightest question asked upon the subject, and that he had very great reason to complain that a very partial use was made of that letter in the House of Commons.

9434. Are you aware of the existence of gun clubs in your neighbourhood?—I am, and loom clubs and clock clubs.

9435. Are you aware of subscriptions being entered into by Orangemen to defend Orangemen when prosecuted?—I have no doubt of the fact.

9436. And subscriptions to bring actions against magistrates for acting against Orangemen?—Yes, I have heard of both.

9437. Do you recollect having applied yourself in the Court-house at Armagh for a subscription to defend some Orangemen who were tried at Armagh in the year 1833?—I recollect giving money, and one or two gentlemen handed me money to give upon that occasion. I have given money myself, and perhaps will again, to assist poor men that I thought were wrongfully accused in defending themselves.

9438. You were a grand juror at the assizes?—Yes.

9439. And you gave and received subscriptions in the court-house towards the defence of those men?—Yes.

9440. Did you act as a grand juror in finding the bills in those cases in which you interfered in that manner?—I did not consider it interfering in the slightest degree, giving money to poor men to assist them in getting lawyers to obtain justice.

9441. Did you act as a grand juror in finding the bills in those cases?—I acted as a grand juror, and assisted in finding bills against those very persons, who, being poor, I assisted their family in procuring means of establishing their innocence if they were innocent.

9442. Did you ever give money to carry on a prosecution on behalf of Orangemen against the magistrates?—No, I have never given a farthing, to the best of my recollection.

9443. Was not the manner of your receiving the Orangemen in Portadown on the steps of the inn made a charge against you?—No, I believe not, nor did I ever receive men on the steps of an inn, to my knowledge.

9444. Do you recollect having taken off your hat and given three cheers for Orangemen when the Orange procession was passing, conveying your brethren of Lurgan from Armagh assizes in 1833?—I am very glad to be asked that question, because it gives me an opportunity of stating what took place upon that occasion. I saw our population that day, in a state of commotion, running into Portadown to welcome the acquitted men home. The whole population of the county appeared to be going in, men in particular that I knew were not Orangemen—religious men; and I said to them myself, "In the name of God, where are you going to?"—"Oh! sir, we are going to hail the triumph of freedom." Men that I knew were not Orangemen, they were leaders amongst the religious societies. I mounted my horse and rode into Portadown, and Mr. Woodhouse the magistrate accompanied me out upon the Armagh road, by which we heard those people were coming. I understood that there had been two flags taken out of the town of Portadown to be unfurled among those people. I saw a man of my own upon the road, and I sent him to the house where I understood those flags were, and I desired him to tell the people that I would suffer no such thing, and they must not be produced.

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The people then were coming up, and I met one or two men from Lurgan, respectable men, and I told them, said I, "These people must go through Portadown as fast as they can without stopping; we must have nothing that can tend to a breach of the peace here." He said he would go and have it so arranged, and that it should be so, and it was so. I was riding a spirited horse that was not accustomed to a crowd or drums; I rode away from the place, and put my horse up in the inn at Portadown. I stood at the door of the inn, in conversation with the landlord, when the people passed down the town. A man of the name of Moore, I believe, a respectable man, from the town of Lurgan, was riding at the head of the procession, if you can call it a procession, for it was not a procession, it was a vast crowd of people passing down the street. This man took off his hat to me and made me a bow; I just raised my hat to the man, as I would do in any case when a man showed a civility to me. That was the nature of it; I neither cheered nor any thing of the kind; I simply returned a respectable man's salute.

9445. And those men had been acquitted by a jury of their country?—Yes, and their friends were taking them home.

9446. Were they all acquitted?—I am not sure as to that, but they were all let out.

9447. Was not the fact that 10 of them were acquitted, and that three of them were let out upon bail?—I cannot speak to the particulars.

9448. Was not it considered a triumph over the magistrates that had committed them?—Indeed I believe they did consider it a triumph over the man that had committed them, and also a triumph of liberty generally.

9449. Those men were committed by a magistrate for violating the Anti-procession Act?—Yes, by Mr. Hancock, of Lurgan.

9450. When were they committed?—Not many days before.

9451. For attending a procession upon the 12th of July 1833?—Yes.

9452. Did not the Anti-procession Act pass the previous year?—I am told now that it did. I thought it passed late in 1833.

9453. Was not pains taken to inform the people that it was contrary to law to meet in that manner upon those anniversaries by the magistrates, and by the police, and by the Government, by proclamation from the castle, and communications from magistrates?—I am not aware that there were any particular pains taken, not till the very eve of their meeting. I consider it a great misfortune that in general the Government have deferred their proclamations till the very eleventh hour.

9454. Could those people have been ignorant of the existence of such a law as the Anti-procession Act, which was passed the year before?—I do really believe that many of them were ignorant upon the subject; for I, myself, was to this moment under the impression that it had passed in 1833.

9455. Did not the Anti-procession Act, the moment it passed, become a subject of bitter complaint on the part of the Orangemen throughout Ireland?—It was a subject of general complaint, not confined to Orangemen.

9456. Being a subject of general complaint, would it not be very natural that it should be known before it could be complained of?—Yes; they knew there was something or other, but as to the particulars of the Act they had not it in their hands.

9457. Did not they complain that the Act passed to prevent them from holding their anniversary meetings, which they were wont to have, and in which they said the Government, upon former occasions, participated?—That has since been the feeling.

9458. Was not that the feeling the moment the Act passed?—I cannot say that it was, because the people were not immediately acquainted with the Act; it is a long time before matters get into discussion in a remote quarter of the country.

9459. Do you know a man of the name of Ewing, who was charged with the murder of James Gill?—I know who that man is.

9460. Is he an Orangeman?—I do not know.

9461. Is he a Protestant?—I have seen him in church.

9462. Do you believe him to be an Orangeman?—I have no means of forming an idea upon the subject.

9463. Gill was a Roman Catholic?—I believe he was; but there was nothing of party in that transaction.

9464. What was the transaction?—Gill, I believe, had been placed as a keeper upon some property that had belonged to Ewing, of which he was deprived by

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course of law; and Gill was assassinated, sitting by his own fireside, I believe in consequence of that.

9465. Have you ever heard of Ewing having been escorted by the Orangemen with drums and fifes, in processions, on every occasion when he was examined by the magistrates?—I never was present at any of those examinations; in fact, I was in England at the time when the transaction took place.

9466. Were not great exertions made upon the last 12th of July by the Orange grand masters, and many district masters, to prevent processions?—There were.

9467. In many instances, did not the district masters resign in consequence of the disobedience shown to their orders?—I heard that one or two masters of lodges near Portadown threatened to resign if there was any procession; and I believe they succeeded in preventing their lodges from joining in any procession.

9468. You entered the Orange society as early as 1795; are you aware of the composition of the United Irishmen, whether they were Protestants and Dissenters and Catholics?—I know nothing of them, except from what is matter of history.

9469. At their first origin, were they not principally composed of Protestant Dissenters in the north of Ireland?—I have heard so. I was a schoolboy at the time. I have always understood that it began in Belfast, where the preponderance of Dissenters is very great.

9470. In the commencement, the Orange Society began in Armagh, after the battle of the Diamond?—Yes.

9471. Did not almost the whole of the Protestant dissenting population at an early period, within a short time afterwards, become Orangemen?—Gradually they did.

9472. Almost all?—Indeed, I believe so; it spread very rapidly.

9473. Do not you believe that many men who had been actually sworn United Irishmen, became Orangemen afterwards?—I believe they did.

9474. Must not every such man who took the Orangeman's oath, having previously taken the United Irishmen's oath, have perjured himself; inasmuch as it was a part of the Orangemen's oath that he was not then, nor had ever been, an United Irishman?—As well as I recollect, the men were called upon to take a test that they had not taken the oath of secresy of the United Irishmen; but I do not conceive that United Irishmen had spread to that extent among the population. I do believe that it might have spread, but that the Orange institution prevented it.

9475. Do you feel yourself at liberty to state the existing signs of the Orangemen?—I do consider myself perfectly at liberty to tell them; but I declare that I have forgotten them.

9476. Can you state the origin of Orange Lodges in the militia, and in certain of the regiments of the army?—I have no doubt it arose partly from young men, who were Orangemen, enlisting, and wishing to carry with them their Orange principles.

9477. Were you aware that a military order was issued against it some years ago?—I think there was a military order issued to the regiments of the line, prohibiting things of the kind; but I imagine that was long after the disbanding of the militia regiments.

9478. When was your militia regiment disembodied?—In 1815 or 1816.

9479. Consequently the Orange Lodges in that regiment must have been previous to 1815 or 1816?—Long previous.

9480. Does not the staff in that regiment still exist?—Yes.

9481. Does any Orange Lodge exist among the staff in that regiment?—I rather think it does not.

9482. You have mentioned other Orange Lodges in different districts, do you know whether any of them are subsisting now?—I have no means of knowing.

9483. You were asked as to certain magistrates who took a part in one inquiry, whether they were not Orangemen; do you believe, whether they were Orangemen or not, those magistrates acted impartially, without favour and affection, between the parties?—Most decidedly so; I should think their being Orangemen or not would make no difference in that case.

9484. Are you of opinion that the conduct of the magistrates in your neighbourhood is not at all influenced by their party affections?—I am confident it is not.

9485. In your evidence upon the last day you mentioned, that it was a rash thing for any man to say that those must have been yeomanry arms, from seeing the

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the men on Kinigo Hill?—I stated that it was a very rash observation on the part of Sir Frederick Stovin, and so I consider it.

9486. If Sir Frederick Stovin states that they moved in regular order, and that they steadily marched off in military order, do you think that any but men accustomed to be disciplined in a regular manner could have done that?—If persons are brought to a certain point, and told that there is danger before them, that very circumstance will bring them to a certain degree of line to face it.

9487. Men that are not accustomed to be manœuvred, will it enable them, suddenly brought together, not being yeomanry, and ignorant of the use of arms, to fall into line, and to present an appearance such as Sir Frederick Stovin describes in his communication to Government?—From the state of abeyance in which the yeomanry have been for many years past, I am sure that from that quarter of the country, what few yeomen there are, must have totally got out of the recollection of military habits. A man may easily mistake a parcel of fellows, moving off by twos and threes, as moving in military order, when they have no idea of it. The very processions would give them more idea of military discipline than any discipline they have had in the yeomanry of late years.

9488. Particularly where processions had been going on for a long series of years, and those persons had been accustomed to walk in processions?—They would certainly get into the same habits.

9489. What are the description of arms supplied to gun clubs?—A very excellent description of musket and bayonet; I have seen many of them.

9490. Therefore the fact that the men had bayonets would be no proof that they were yeomanry arms?—No proof at all.

Martis, 4° die Augusti, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Hugh Ryves Baker, Esq., called in; and Examined.

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9491. WHAT is the book now shown to you [*a book being shown to the Witness*]?—It is the minute book of the proceedings of the committee of the Grand Lodge of Ireland, in part of the years 1829 and 1830.

9492. Among the proceedings there is this entry, "That the rules submitted by the deputy grand secretary for the government of the colonies be adopted, and that publicity be given to the same. Moved by J. Butler, seconded by J. H. Jeboult, that the address to the King on the subject of the colonies be adopted, and forwarded to the trustees for signature;" to what colonies does that resolution refer?—Those proposed to be established by the Protestant Colonization Society in Ireland.

9493. Then are the Committee to understand that in the course of the evidence which has been given before them where colonies have been alluded to, it means those colonies in Ireland, and not the foreign colonies?—Exactly so; the idea was set forward by the grand lodge in Ireland to establish a Protestant Colonization Society to prevent the emigration of Protestants; before the society was absolutely established, it was thought desirable to have it upon a more extended scale, so as to admit Protestants of different politics to become members of it, and in 1829 the Protestant Colonization Society was separated from the Orange institution, and became a separate society.

9494. There is an entry upon the 17th of November 1831, "Your committee have received from America the most cheering accounts, and the lodges now sitting there under your warrants emulate each other in evincing their gratitude for the interest taken by you in their welfare;" did you consider that those lodges were in direct connexion with the Irish Orange system?—No, there is a separate Orange institution in the Canadas, as much separated from the Orange institution in Ireland as the Orange institution of Great Britain is; many masters of Orange Lodges, on emigrating from the country, were in the habit of taking their Orange warrants with them, and establishing Orange Lodges there; they became connected with the institution in Canada, with which we have no official communications; and it was merely the private members of those bodies writing to the grand lodge of Ireland, stating their own personal prosperity, and that of the principles of the society.

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9495. When a lodge is established then in America, is it necessary that the warrant should be signed by the grand master in England or Ireland?—They have no direct connexion with the grand lodge in Ireland, and I believe not at all with the grand lodge of England; some time ago I saw by a newspaper report that they had established a grand lodge of their own in America, and appointed a person of the name of Gowan, who had been an Irish Orangeman, as their deputy grand master, and they applied to the Duke of Cumberland to become their grand master, but he communicated with the grand lodge of Ireland upon the subject, and by them he was recommended not to have any thing to do with it, as Mr. Gowan had been expelled from the institution of Ireland.

9496. You stated that the Orange Society in Canada is no more connected with the Orange Society in Ireland than the Orange Society in Ireland is connected with the Orange Society in England; is not the Duke of Cumberland the imperial grand master, being the grand master both of the Orange Society of England and the Orange Society of Ireland?—He is the common head of two district societies holding similar principles, but totally different in the details of their management and discipline.

9497. And the only reason why he did not become grand master of the lodges in Canada was, that the deputy grand master was a man of bad character?—That was the reason suggested by the grand lodge of Ireland.

9498. Are not all the members of the grand lodge of Ireland members also of the grand lodge of England?—Such a rule appears on the English books.

9499. Are not all the members of the grand lodge of England members of the grand lodge of Ireland?—No, only the grand officers are honorary members.

9500. Are you not aware of it being a rule that all the grand committee of Ireland are honorary members of the grand lodge of England?—I think there is a mistake as to the constitution of the committee of the grand lodge of Ireland; it appears to me that it is supposed to be a body distinct from the grand lodge, but it is not; it is in fact the grand lodge of Ireland in committee.

9501. The relation between the Orange Lodges in Canada and the Orange Lodges in Ireland is the same as the relation which exists between the Orange Lodges in England and the Orange Lodges in Ireland?—The only relation is community of principle; there is no direct or constant communication, nor an assumption of authority upon either side over the other.

9502. What is the meaning of these words in the resolution, "the lodges now sitting there under your warrants, emulate each other in evincing their gratitude for the interest taken by you in their welfare;" how do you explain that?—The masters of lodges in Ireland on emigrating, were in the habit of taking the warrants with them, and there, under that authority, forming lodges; but the connexion ceases between that lodge and the Orange institution of Ireland as soon as they are out of the kingdom, and the same number is constantly given to the county where the warrants have been taken from.

9503. When a warrant is taken out from Ireland to America, does that warrant cease as soon as that party gets out to America, and is a new warrant taken out for the same number?—Constantly.

9504. So that the numbers taken are totally unconnected with the Orange institution in Ireland?—The one taken to America is considered dormant as far as Ireland is concerned.

9505. But the authority under which they are first formed in America is the warrant issued for the grand lodge in Ireland?—It will be perceived from the form of the warrants, that it only authorizes the person holding it to form the lodge within a certain county and district; if the warrant is taken to America, there is no authority emanating from the grand lodge in Ireland.

9506. How do you explain this, "the lodges now sitting there under your warrants?"—The warrants had been taken out by individual masters who had them in their possession, considering that they were an authority for forming lodges, and they have written over to Ireland in those words, stating these facts.

9507. Are not those the only warrants under which those lodges in America hold their sittings?—We have no means of knowing that.

9508. It is stated here, "the lodges sitting under your warrants," how do you explain that expression?—That is an expression used by the American lodges to the Irish grand lodge, not the opinion of the Irish grand lodge.

9509. It is a notion entertained by the Americans themselves?—Yes.

9510. Although that notion is not entertained by the grand lodge?—Yes.

9511. So that it is a mistaken notion of the power under which they sit in America?—It is. *H. R. Baker*, Esq.

9512. But have they any other power than that which is derived from the grand lodge in Ireland?—They have a grand lodge in America who issue warrants to their own members. 4 August 1835.

Lieutenant-Colonel *William Verner*, again called in; and further Examined.

9513. YOU stated in your former evidence, that the Defenders and the Peep-of-day Boys existed before the Orange Society was established; have you any document to prove the precise period when the Society of Defenders originated?—I have the trial of James Weldon, in December 1795; he was tried and found guilty in Dublin for high treason and administering unlawful oaths; and it appears upon the evidence that the Defenders' Society originated in January 1790. Lieut.-Col. *William Verner*.

9514. What is the paper you are reading from?—It is the trial of the King against Weldon; this is the evidence taken from the State Trials.

9515. Can you state what is the precise character of the Defenders' Society?—I can, from the same evidence. "The following is a copy of the oath, set forth in the indictment:—I, William Lawler, of my own good will and consent, do swear to be true to his Majesty King George the Third, whilst I live under the same Government: more, I swear to be true, aiding and assistant to every brother bound to me by this application, and in every form of article, from its first foundation January 1790, and in every amendment hitherto, and will be obedient to my committees, superior, commanders and offices in all lawful proceedings, and not otherwise; nor will I consent to any society or any brother of an unlawful character, but will observe and obey the laws and regulations of my committee to whom I belong, determined brother, nor in any violation of the laws, but to protect my life and property, and the lives and properties of my brothers; and I will subject myself to my committee-men in all lawful proceedings, and not otherwise, during the reign of his Majesty King George the Third, whilst I live under the same Government. I likewise swear, I will meet when and where my committee will please, and I will spend what is pleasing to the president and company: I will not quarrel nor strike any person whatsomever, knowing him to be such, but will live lovingly and friendly with every one under that denomination: I will not rise any fight or quarrel on account of my present intrus or back that for unto my brotherwood."

9516. Where is that taken from?—From the State Trials in Ireland, from Ridgeway's Cases, and also from Cobbett's State Trials. These are the means by which they were made known to each other: "I am concerned—so am I—with who?—the National Convention (meaning thereby the National Convention of France). What is your designs?—on freedom. Where is your designs?—the foundation of it is grounded on a rock. What is your designs?—cause to quell all nations, dethrone all ——gs (meaning thereby all kings), to plant true religion in the hearts, be just. Where did the cock crow when the whole world heard him?—in France. What is the pass-word?—Eliphismatis." This man was found guilty, and executed.

9517. Have you any other authority besides what you have already adduced, to prove the existence of an understanding between the United Irishmen and France?—Yes, here is an extract from the Report of the Secret Committee of the House of Lords in 1797, at page 87, Appendix, No. 3, which states, "That your Committee are fully satisfied and convinced, from the evidence laid before them, that a traitorous and alarming conspiracy has been formed, and that sundry acts have been done, in pursuance thereof, by certain affiliated societies, and persons in different parts of this kingdom, calling themselves United Irishmen, for the subversion of the established laws and constitution, and the introduction of a system of anarchy, plunder and confusion, similar to that which has fatally prevailed in France. Your Committee think it necessary further to report to your Lordships, that it has appeared distinctly to them that such a system was the first and fundamental object of these societies at their original institution in the summer of the year 1791, and that the attainment of what are called Parliamentary Reform and Catholic Emancipation, were and continue to be held out by them merely as a pretence for their associations, and with a view to seduce persons who were not apprized of their traitorous designs to unite with them. It has appeared to your Committee that these associations have gradually multiplied, and are now extending in a very alarming degree; that their members are bound to each other by oaths of secresy, and appear to be firmly united in a general compact to subvert the monarchy,

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narchy, and to establish a republican government in Ireland. It has further appeared to your Committee, that the leaders and directors of these associations are now and have been for some time past anxiously engaged in uniting with them a class of men who had formerly disturbed the peace of this country by acts of outrage, robbery and murder, under the appellation of Defenders; and your Committee have reason to apprehend that, in a certain degree, they have succeeded. And it has also appeared to your Committee that, in the event of success on the part of these conspirators, it has been decided that all persons who from their principles or situation may be deemed inimical to the conspiracy shall be massacred; the first proscribed list, it has appeared to your Committee, has been calculated by one of their leaders at 30,000 persons."

9518. Can you now name any man of note who was selected for assassination by the assassination society?—I can; there is a case reported in Cobbett's State Trials, vol. 26. p. 839. The King against James Dunn, for an attempt to assassinate the Earl of Carhampton. The prisoner, a blacksmith, who had been for many years employed by Lord Carhampton, and, as he himself admitted, treated with the greatest possible kindness, was tried, convicted and executed. In the instance I mentioned in my former evidence, as having come within my own knowledge with respect to Mr. Beresford, I have since seen that Sir Richard Musgrave's Rebellion of Ireland states, that the person acknowledged before Alderman James, that he was employed to shoot Mr. John Claudius Beresford, I stated in my former evidence that I had heard it from Mr. Beresford himself.

9519. Have you any reason to believe that the assassination committee was composed of United Irishmen?—Yes, that appears from another trial in Cobbett's State Trials, page 27. The King against a man of the name of Tuite. The prisoner was tried and found guilty at Trim summer assizes, for the wilful murder of the Reverend George Knipe.

9520. How does it appear that the Reverend George Knipe was assassinated by the United Irishmen, was Tuite an United Irishman?— It appears by the evidence upon the trial that he was.

9521. You stated that persons of rank very soon joined the Orange Society, can you name any?—Yes, I have here the names of the members of one lodge; it is dated the 26th March 1798: they are contained in a book which I will now deliver in to the Committee.

9522. Will you state what the book is?—It is the proceedings of Lodge No. 176, established in Dublin the 4th of June 1797. Thomas Verner, esquire, master. The names are "Hamilton Archdall, Earl Annesley, Earl Athlone, John Armstrong, James Armstrong, Richmond Allen, Thomas P. Ayres, F. Howell Armstrong, Thomas Babington, Henry Brooke, Rev. Henry Bruce, Matthew Bathurst, William Bathurst, Christopher Bowen, Jonah Barrington, George Barnes, Marcus Blair, Charles Bury, Rev. Charles Beresford, Henry Brabazon, James Bathurst, Rev. Mr. Brickle, Captain Caulfield, Henry Colclough, Robert Cornwall, George Carr, Hugh Cochran, Lord Corry, Cottingham, John Conroy, Henry Coddington, Hans Caulfield, William Corbet, William L. Cowen, Patrick Duignan, Stephen Draper, Frederick Darley, William Darley, John Sakhey Darley, Edmund Darley, James Eustace, Captain Henry Eustace, Francis Eardley, T. Emerson, E. Emerson, Henry Faulkner, Robert Frazer, John Burke Fitzsimon, John Ferns, Wm. Ferns, Honourable Captain Ginchell, Walter Giles, Cornelius Gantin, George Hill, Andrew Higginbotham, David Hay, William Stewart Hamilton, Thomas Johnston, Arthur Jones, James Johnston, Rev. John Keating, Arthur Kelly, Elliott Knipe, Rev. Thomas Knipe, Thomas Knox, Benjamin Lucas, Richard Lucas, John Lindsay, Charles Leslie, John Leslie, William Large, Samuel Montgomery, Rev. Henry Maclean, George Vaughan Montgomery, George Moore, Edmund Alexander, M'Naghtan, Sir John Macartney, William Mills, Hamilton Maxwell, William Newman, George Newman, Thomas Norman, Luke Norman, Thomas Oxley, Charles Oulton, William Ormsby, Samuel Pendleton, James Poe, Andrew Price, Godwin Pilsworth, S. W. Plunkett, Alderman Poole, Robert Powell, John Staunton Rochfort, Rev. Henry Roper, William Roper, Thomas Reid, Captain Ryan, William Rawlins, William Stanford, Honourable Benjamin O'Neall Stratford, Honourable John Stratford, John Steele, Major Sandys, Charles Henry Sirr, Richard Sayns, John Stanlan, Captain Shanley, Nathaniel Sneyd, William Bellingham Swan, Richard Carpenter Smith, Thomas Townsend, Francis Thomas, Urquhart Thompson, James Verner, David Verner, John Verner, William Verner, Alderman James Vance, Henry J. Worthington, Joseph Worthington, Thomas Worthington, William Wisdom, James Warren, Roger Wetherall, Thomas White."

White." Those were the members, and they were divided afterwards into two lodges. Mr. Claudius Beresford was placed at the head of the second lodge.

9523. Can you now refer to any trials where the Riband oath was produced?—There was a trial on the 28th of March 1834, at Naas, in the county of Kildare. The prisoners were George Grimes and Patrick Waters. I have here a report of the trial extracted from the newspaper. The oath appeared in evidence, and was as follows: "To go out and take arms, to shoot any one that took ground and beat them out, to be loyal to one another, and to wade knee deep in Orangemen's blood:" and the prisoners were convicted before Judge Torrens.

5924. One of your rules states, "That no person do persecute or upbraid any one on account of his religious opinions, but that we will be aiding and assisting to every loyal subject of every religious denomination;" can you name any occasion upon which the Orange society, or any portion of it, acted in conformity with this rule?—I can; at a meeting of the masters of the following Orange Lodges of the city of Dublin, held at Harrington's, on the 10th September 1798, there were nine masters present, besides many others; the Rev. J. F. Knipe in the chair. It was resolved that the 5th rule of our association be now read, and the same being read, viz. "That no person do persecute or upbraid any one on account of his religious opinions, but that we will, on the contrary, be aiding and assisting to every loyal subject of every religious description. Resolved, That a committee of nine be appointed to conduct a subscription on behalf of the brave fellows who have been wounded, and the widows and orphans of those gallant men who have fallen, gloriously fighting for their King and constitution, in the late action with the French and rebel armies in the counties of Sligo and Antrim. Resolved, That the committee be empowered to extend the benefit of this subscription to all the brave fellows who have been wounded, and to the widows and orphans of all those who have fallen in the late invasion, and whose conduct, as deserving the notice of the committee, shall be certified by their officers as deserving the notice of the committee."

9525. Several witnesses have been asked whether the Orange Society interfered with respect to the Union, what is your opinion upon that subject?—Decidedly it did; I will read a resolution which was passed when I was present: "Grand Lodge, 13th December 1798. Resolved, That as many persons as are enemies to the Orange institution have endeavoured to injure and divide it, by involving us in debates on political questions, particularly on the present question of Union, the masters of the different lodges in Dublin are entreated to discourage, as much as possible, any discussion or decision in their respective lodges upon that or any other political subject, as such conduct must create division, and produce injury and ruin to the institution." This is signed "T. C. Beresford, grand secretary." The next is dated "Grand Lodge of Ireland, January 5th, 1799. The grand lodge of Ireland observe with heartfelt satisfaction, that their former recommendation to their brethren to abstain, as Orangemen, from any discussion of the question of Union, has had the happiest effects, insomuch as it has disappointed the sanguine and malignant hopes entertained by the enemies to religion and good order, that such discussion would be productive of discord amongst Orangemen. They now feel it their duty to offer some further observations on the present juncture of affairs. Orangemen in different capacities, as Members of Parliament, grand jurors, freeholders and members of corporate bodies, will have opportunities of debating the important question of an Union; but it is the earnest entreaty of the grand lodge that as a society they will continue silent, for as every Orangeman, however zealous, may and no doubt will, from local circumstances, conceive different ideas on this subject, the discussion of a question of such magnitude, involving not only great imperial topics, but also matters of local advantage and local disadvantage, must unavoidably create a division in opinion, and 'a house divided against itself cannot stand;' it is therefore recommended to all Orangemen, to keep in mind the great object for which they have associated, and to avoid, as injurious to their institution, all controversy upon subjects not connected with their principles."

9526. Now, with respect to more modern times, do you recollect an attack made upon some persons passing through the village of Maghery, in November 1830?—I do.

9527. Do you recollect the outrage committed in that village upon the Monday following?—Perfectly well.

9528. Were you there upon both those occasions?—I was upon the latter only.

9529. Did you see both parties?—I did.

9530. Did not those parties pass over Verner's Bridge?—They did.

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9531. Did you endeavour to stop both or either of them?—I endeavoured to stop the latter party, the party that passed upon the Friday. I did not feel myself called upon to attempt to stop, because they were not violating the law.

9532. In what manner did you endeavour to prevent them from proceeding upon the Monday?—I had the gates of the bridge fastened, I remonstrated with them, and endeavoured to dissuade them from pursuing a course which I told them was highly improper and illegal.

9533. Are there any military or police stationed near your place?—There are three policemen.

9534. Were they present?—The sergeant was; one of the men was absent.

9535. What did you do when you found that they had passed the bridge and were proceeding towards Maghery?—I wrote a note to a person living near my place in whom I could place confidence, a respectable tenant living on my property. The note was to this effect: "I fear there will be bad work at Maghery," (and supposing they were the persons who had been beaten upon the Saturday who were going there, I added) "the party that were beaten upon Saturday have gone down to take revenge; I am just going after them with Jackson Lloyd, and wish you either to follow or get together a few steady men in case I should send to you. Yours in haste, William Verner."

9536. Who was that directed to?—To Mr. O'Neil.

9537. He was lieutenant of the corps, was not he?—Mr. O'Neil was lieutenant in the yeomanry.

9538. In your endeavours to protect the property of the people, were you exposed to danger?—Frequently.

9539. In what manner?—When I attempted to prevent the party entering the town, I placed myself before them, and I declared that no one should pass me along the road. One of the party cocked his gun and said that he did not care who the person was that opposed him, he would shoot him; the sergeant of police knocked up the muzzle of his gun, and it did not go off. Upon another occasion, there was a man destroying the windows of a house; he had a pole with a bayonet upon it; I rode up to him, and held up my stick, and I was going to strike him; he threatened to stab me with his bayonet. At another time, in endeavouring to prevent a door being forced open which was fastened upon the inside, and suspecting there might be persons concealed in the house, I was exposed to great danger. Just as I came up, one of these persons threw an immense stone, which he had lifted with both his hands against the door to try and force it open; he had lifted it up a second time for the purpose of again throwing it at the door, when I threw myself with my back against the door to prevent his doing so; had he thrown the stone, I am sure he must have killed me. I prevented the door from being forced open.

9540. Were any of the police present at the time?—The sergeant of police was somewhere in the village or about it. During the time I was in Maghery the man who had been absent arrived, but neither of them had any arms with them that I recollect; I am sure the sergeant had not.

9541. Do you think that, had he been ordered, he would have taken prisoners any of the persons committing the outrage?—I think if he had attempted to do so, he would have lost his life in the attempt.

9542. Do you think that had you called upon any person present to assist in making prisoners, that they could have succeeded?—I think had I done so it would have led to a great effusion of blood, because many of those persons were armed, and they seemed determined to resist by force any persons who attempted to oppose them.

9543. Did you see any persons at Maghery who were endeavouring to put a stop to the destruction that was going forward, and to protect the property of the inhabitants, besides yourself?—I did, particularly a man of the name of Kilpatrick, a blacksmith, who lives under me; I saw him risk his life several times, and I think I spoke to him and requested that he would go away, for I thought his life in great danger. He is an Orangeman.

9544. Was he and other persons who were so employed in endeavouring to prevent the mischief that was going on exposed to danger?—Frequently.

9545. Were there any persons present that did not take any part in the outrage?—Several. When I placed myself at the entrance of the village, for the purpose of preventing the party entering into it, finding that I would not permit them passing along the road, several of them broke off into the fields on the right and left; I however

however succeeded in stopping many, and left Mr. Lloyd and two or three others who were with me (my own bailiff was one) to prevent their entering the village. There were also others who came afterwards to the entrance of the village, and remained there, that had nothing whatever to do with the party committing the outrage; they never entered the village at all.

9546. You first saw the party at the bridge?—I did.

9547. Did you there promise to go or send to Maghery to get compensation for the damage that had been sustained upon the preceding Saturday?—I did, after exerting all my influence to prevent their proceeding, and pointing out to them the illegality of their conduct; they threatened that, if I did not allow them to pass over the bridge, they would go down the river and pass over in boats, and frequently threatened that they would pass the bridge in spite of me. I asked them what they wanted, or what would satisfy them; some one amongst the party said, if they got compensation for the damage done to their drums and to their music, and for the hats, I think they said, that they had lost in the scuffle, they would be satisfied. When I found threats and entreaties were of no avail, I undertook that the inhabitants should pay for whatever damage had been done, and proposed to send down two persons for the purpose of seeing that the money came from the inhabitants, upon the express condition that they would return back by the road they came and not proceed further, or, at all events, wait till the two men had returned.

9548. Why did you make that proposal?—Because I found that if I had not done so, they would have forced the bridge in spite of me.

9549. What means did you take to get them to leave the village?—I went through the village using every possible exertion to induce them to leave it, and when I found that they were returning towards that part of the village by which they had entered, I desired Captain Lloyd, whom I had left there to prevent their entering the village, to get the drums to beat in order to attract the attention of those who still remained in the village, and who hearing the drums beat, might suppose the others were going home and be induced to join them; and I did this in consequence of seeing a few of the party running across a field towards some houses that had hitherto escaped, and I wanted if possible to draw off their attention, so as to save those houses.

9550. What did you do when you got them clear of the bridge?—When I got them clear of the bridge, I ordered the gates to be locked and secured. It was then within a very short time of post hour; I went home and wrote a short report of the circumstance to the Castle.

9551. While you were writing was Mr. Duff shown in?—Mr. Duff came in while I was writing.

9552. Did he state that he had a party of the constabulary with him?—I have since heard Mr. Duff say, he did. I was writing at the time, as I have already said, anxious to catch the post, and did not hear him say so. Mr. Duff said that Mr. Murray, a magistrate of the county of Tyrone, was with him; I asked him where he met the party? I think he said, about a mile upon the Dungannon side of the bridge, in the county of Tyrone. I then asked him if he thought they had dispersed and gone to their homes, and he said he was sure that they had.

9553. Did you take any measures afterwards, and what?—I reported the circumstance to Mr. Gregory, the Under Secretary at the Castle; I then wrote to all the magistrates in the district, stating the circumstances, and requesting that they would name as early a day as possible, in order to hold an investigation. I have here the answers from some of them: Colonel Blacker says, "An investigation is necessary on many accounts, but in order to meet the ends of justice, it should not be too public; I will have great pleasure in going on the Thursday, as you desire, but must return on Friday." Colonel Blacker's note was dated on Tuesday, the day after; Mr. Atkinson, the nearest magistrate to me, says, "The meeting ought to be immediately and at Maghery, the more magistrates the better; I will be ready on the shortest notice; the Maghery people went to Armagh this morning." Mr. Hardy says, "My dear Sir,—I hope it will be in my power to attend at the time you mention to-morrow." I wrote to Mr. Algeo, who is also a magistrate, residing in Armagh, and agent to Lord Charlemont, to whom Maghery belongs; the magistrates appointed the Thursday following to hold an investigation at Maghery. The day after I sent a fuller report to the Government; I was anxious not to allow one post to pass without communicating the circumstance to the Government. The following day I sent a full report to the Castle to Mr. Gregory, of which this is a copy: "Churchill, 23d of November 1830. Sir,—I had the honour to address a

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letter to you yesterday, stating that an occurrence of a very disgraceful nature had taken place in this neighbourhood, I now resume my pen for the purpose of informing you the particulars. On Friday last, a party consisting of about 20 persons, with drums and fifes, passed over my bridge from the county of Tyrone, on their way to the Bann foot; distance from hence short four miles; they remained there all night, and upon their return next morning at a village called Maghery, at the Blackwater foot, two miles and a half from my residence, they were attacked, their drums broken, and themselves beaten. Having received information of this attack and fearing it might lead to unpleasant consequences, I got upon my horse and set off for Maghery; I had not proceeded more than half a mile when I met the party, their drums were broken, and four or five of them had handkerchiefs tied upon their heads in consequence of the blows and cuts they had received. I asked them to relate to me what had occurred; they told me they had been followed by a number of men at Maghery; some of them asked them to play Garryowen, and upon their declining to do so, they broke their drums and commenced beating and knocking them down; that they were afraid to offer any resistance, the party by which they were opposed being so numerous. In the evening I heard it was intended by the persons who had been thus attacked in the morning, to return at night to Maghery, in order, as they themselves expressed, 'to have satisfaction.' I in consequence employed some people whom I considered might have influence with them, to speak to them, and they succeeded in dissuading them from carrying into execution their intention, and they returned to their homes. Yesterday morning, between the hours of eight and nine o'clock, a very respectable man, residing in the county of Tyrone, came to me and stated, that a party was proceeding along the road, many of whom were armed with guns; that they had avowed to him that their determination was to go to Maghery, and have satisfaction for the injury they had sustained upon Saturday; that he had remonstrated with them to no purpose, and therefore came to me as they continued to advance. I immediately repaired to my bridge over which they had to pass, and had the gates closed and made fast; at this time Captain Lloyd came up and told me he had spoken to them, and endeavoured to prevail upon them not to go forward, but his advice had met with as little attention as that of the person who had previously waited upon me at my house. In a short time the party arrived at the bridge; after much conversation, threats and entreaties, I brought them to consent to accept from the Maghery people, as compensation for the injury they had received, the expense which would be necessary to repair their drums; and thus got them to appoint two men who I consented to accompany to Maghery, for the purpose of making this proposal, and exacted a promise from the remainder, that they would not attempt to force the gates or pass the bridge till my return; I then sent the two men so selected forward with a sergeant of police, to await my arrival near Maghery, and returned to my house to get a horse. Before I was prepared to follow, I heard the whole party had passed the bridge and were proceeding to Maghery; I immediately mounted my horse and followed them, accompanied by Mr. Lloyd, and overtook them about a mile on the road; they then entered into the same engagement as they had done at the bridge, not to go forward until I returned to them, and I went on myself anxious to have the required stipulation acceded to, in the hope that it might prevent them advancing further. When I reached Maghery, I found the place nearly deserted; I however got together four of the inhabitants, to whom I was about to propose the terms required, when I perceived the whole body at the entrance of the village; I ran down to endeavour to stop them, but before I got to where they were, they had broken the windows of a house by the roadside. All my efforts to restrain them now became ineffectual. Finding I would not allow them to pass along the road, several took across the fields and entered the village at other parts; then the destruction became general, and there was scarcely a house that had not more or less injury done to it. Fortunately they met with no resistance from the inhabitants, otherwise it might have been much more serious; as it is, I am happy to say, I did not hear of any person receiving any injury of consequence. I think it right to mention that there were several of the party who remained at the entrance to the village, and took no part in the outrages that were committed."

9554. Did you know any of the persons you saw, who came over the bridge, or who were concerned in the outrage upon that village?—I never, to my knowledge, saw one of them before, except one; I do not know his name, nor did I know where he lived.

9555. Do you believe that there were any men belonging to the county of Armagh concerned in that outrage?—I have reason to believe that there were not.

9556. Do you think that any of the persons who were beat upon the Saturday were of the party?—I do not think there were. I know there were several that were not; because some of the persons by whom they were beat were tried and convicted, and others charged with the offence fled the country.

9557. Do you believe that the party who were beat upon the Saturday wanted the yeomanry to return with them to have revenge?—They might have wanted individuals, but I am certain that they did not want the yeomanry to return with them, because I met the party returning from Maghery, and before they reached my gate, the yeomanry were dismissed, and had returned to their homes; so that this party could not have made such a request of them.

9558. You have said that you wrote to the neighbouring magistrates to hold an investigation?—I did.

9559. Were you present at that investigation?—I was.

9560. Do you recollect who the magistrates were that were also present?—The magistrates at Maghery, on Thursday the 25th of November, were, Mr. Atkinson in the chair, Colonel Blacker, Mr. Algeo, Mr. Hardy, Mr. Woodhouse, Mr. James Forde, Mr. Hancock, and myself. I beg to mention one circumstance to the Committee. I attended the investigations at Maghery and Lurgan, and upon both those occasions took down the whole of the evidence, with the exception of my own. I was the first witness examined at Lurgan; and previous to giving my evidence I requested Mr. Forde, a magistrate present, to take down my evidence; this was in the presence of Mr. Perrin, who then presided on the part of the Government. Mr. Forde said, that the person who was appointed to take down the evidence, the clerk of the petty sessions, could copy it out afterwards, and let me have it. When the proceedings of the day were closed, I requested the clerk to have the evidence copied out that night, and let me have it next morning; to which Mr. Perrin objected, and said, "I do not think I can let you have the evidence." I expressed my surprise to Mr. Perrin at his objection, and said, "If there was any reason for withholding my evidence, why did not you say so at the time, and not lead me to suppose that I might have it?" He then said, that he could not let me have it, but he would apply to the law officer of the Crown. What application he made it is impossible for me to say; but he told me that they concurred with him, and therefore he could not let me have it. I merely state this to the Committee, that if I should find it necessary to refer to the evidence, it may appear extraordinary that my evidence is the only one of which I have not a copy.

9561. Do you recollect Mr. Algeo or Mr. Patten making any observations as to the difficulty of getting the inhabitants to come forward?—Very few persons could be prevailed upon to come forward to give evidence at Maghery; in consequence, the magistrates sent for Mr. Patten, chief constable of police, who stated he had gone round the village, and the people would not come forward. Mr. Algeo stated, that he had also used his influence, and was unable to get them to come forward to give evidence.

9562. Was Mr. Hancock present upon the Saturday or the Monday?—He was not.

9563. He could not therefore know, of his own knowledge, any thing that passed?—Certainly not.

9564. Then whatever Mr. Hancock has stated in his evidence upon this subject must have been from hearsay?—Certainly.

9565. Could he know as well as you what took place upon the Monday?—Impossible.

9566. Did Captain Lloyd head the party leaving Maghery?—Captain Lloyd headed the party when it was leaving Maghery, by my order, or at my request.

9567. Did you follow in the rear?—I did.

9568. Why so?—For the purpose of getting the stragglers out of the village, seeing that some remained behind, and also to prevent any further outrage being committed upon some houses which had escaped. This precaution, as it appeared afterwards, was very necessary, as some of the party turned off the road to where there were some houses which had not been attacked. I galloped up the road, and succeeded in preventing them from doing any injury to those houses; they also attacked the house of a tenant of my own, from whose house I also drove them.

9569. Did you take measures for the apprehension of any of the persons charged with those crimes?—I took measures for the apprehension of all those against whom

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whom informations were sworn that came within my knowledge. Two letters upon the subject to Mr. Duff, with regard to persons charged, have been already before the Committee, and therefore it is unnecessary to do more than to refer to them. I sent warrants to Mr. Duff for the apprehension of those persons.

9570. Do you recollect how many persons were sworn against?—Several; all those who were residing near me gave in bail to take their trial at the assizes in the county of Armagh; 19 persons gave in bail before me and Colonel Blacker; and in the county of Tyrone seven persons gave in bail before Colonel Blacker and myself, one before the Honourable Andrew Stewart, and one before John Spear, esquire, to whom I wrote to have those persons apprehended, or to give in bail. I would wish to read the answer from Mr. Gregory to my report, it is dated "Dublin, 29th November 1830. Sir, I am directed by the Lord Lieutenant to acknowledge the receipt of your letter of the 23d inst. stating the circumstances of a violent outrage that occurred in your neighbourhood on the 19th instant. His Grace desires me to express to you his thanks for your conduct upon the above occasion, which appears to have been both moderate and firm. He relies on your active exertions, and those of the adjoining magistrates, to discover and bring to justice the persons who have been guilty of such a violent breach of the peace. I have the honour to be your most obedient humble servant, W. Gregory."

9571. Were those persons who were sworn against tried?—Some of them were.

9572. Were those persons who were tried convicted?—They were not, five or six only were tried; the bills against the others were ignored by the grand jury.

9573. Do you recollect why they were acquitted?—Because most of them were proved not to have been near Maghery upon that day.

9574. Have you any reason to suppose, that any one who was charged with being at Maghery, and taking part in the riot that day, was unjustly accused?—There was a person of the name of Cardwell, who lived in the county of Tyrone, sworn against by John O'Neil, as having been present upon that occasion, he was taken up and committed to Armagh gaol, where he was confined for three weeks; bail was refused to be taken. It appearing that the man had not been from his own home upon that day, I wrote to Mr. Algeo, at Armagh. The man was, in consequence, liberated upon bail, and never was brought to trial. There were also others. There was a person of the name of Sarah Campbell, who swore against John Cotton, and she also stated, that she told Mr. Patten, the chief constable of police, and Mr. Algeo, that she saw Cotton there; and both those gentlemen swore, she never mentioned Cotton's name to them; and Mr. Algeo still further swore, that he did not see her. A man of the name of M'Guire, a stranger in that part of the country, and who came from Connaught, swore to having seen a man of the name of James Delap, with a gun and bayonet. It was proved that James Delap was, during the whole of the day the outrage was committed, at Maghery, in the town of Loughall, a distance of eight or nine miles. Anna Mullin swore, that she saw James Handcock with a gun; it was proved in evidence by two witnesses, one of them a Roman Catholic servant in the employ of Handcock, that he was all that day thatching his house, a distance of at least two miles from Maghery. It was also proved by Mary Fleming and Betty Green, that other persons sworn against were not at Maghery upon that day.

9575. Was this upon the trial?—Upon the trial, and before the magistrates who attended at Portadown to receive evidence, and to bind the parties over to prosecute.

Mercurii, 5° die Augusti, 1835.

JOHN WILSON PATTEN, ESQUIRE, IN THE CHAIR.

Lieutenant-Colonel *William Verner*, a Member of the House; further Examined.

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9576. DO you suppose that your having appeared to give evidence upon the trials at Armagh had any influence upon the finding of the jury?—I should say, from the character of the jurors of the county of Armagh, that they are incapable of being influenced by any such circumstance.

9577. What is the general character of the jurors of the county of Armagh?—The jurors of the county of Armagh have, upon every occasion that I have ever heard them spoken of, borne a very high character; I applied, in consequence of having heard that they were reported not to have done their duty upon a late occasion, to the present high sheriff of the county of Armagh, who is an Englishman, a person opposed to me in politics, and also opposed to me in the representation of the county, Mr. Bacon, upon that subject; and I beg leave to refer to an extract from a letter which I received from that gentleman in corroboration of the high character which the jurors bear; the extract is as follows: "I have no particular wish to be brought on the tapis at all, and would rather not be mentioned; at the same time as both Baron Pennefather and myself, both publicly and privately, did express our approbation of the conduct of the juries at the last Armagh assizes, I see no objection to your stating that, at any rate your own county has no right to be charged with the crime you mention; I have certainly never lost an opportunity of stating my opinion of the conduct of the petty juries at the last assizes; they had very difficult cases to decide, and party ones too (they were a mixed jury also), they gave most admirable verdicts, and to which no man could possibly find fault.

9578. What do you understand by the term "a mixed jury?"—I understand it to mean a jury of Roman Catholics and Protestants; there was certainly one or more Roman Catholics on the jury, and also persons supposed to be of very liberal principles, who were not Orangemen.

9579. By the jury you mean the petty jury, do you not?—I do.

9580. Have you any reason to know why the persons who passed through Maghery, going to the Bann, were permitted to pass unmolested, and were attacked on the following day?—The reason why they were permitted to pass, as I have heard, on the Friday unmolested, was, because the Maghery people supposed they were going to a Union Lodge, and having discovered previous to their return on the following day that they were at an Orange Lodge, they attacked them on their return; an Union Lodge was composed of persons of all persuasions, for the abolition of tithe and the reduction of rents.

9581. Did you hear that one of the persons beaten upon that occasion died of the injury he received?—I did, it was stated on oath by two or three persons.

9582. By whom did you hear the injury was inflicted?—By a person of the name of Joe Campbell.

9583. Where did he live?—He lived in Maghery.

9584. Was he indicted capitally for the offence?—No, he was not, but he was convicted with others of a riot.

9585. Why was he not indicted capitally?—Because although the man who received the injury, and who died, stated that he suffered from the blows he received from Joe Campbell, yet as this was not his dying declaration, it was considered a capital indictment would not lie.

9586. What is the character of Joe Campbell?—He bears a very bad character, as a very riotous and disorderly and ill conducted person; Campbell was deeply implicated in the rebellion of 1798, and obliged to fly from that part of the country; he went to the south of Ireland, where he had a command in the rebel army; after some years he was permitted to return to that part of the country, but was never pardoned by the Government.

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9587. Do you think the Maghery people were, generally speaking, of opinion that your exertions had been used to protect their property?—I am sure they were, for many of them have so expressed themselves.

9588. Have you any reason to suppose that there were any who were not influenced by that feeling, or who by their conduct expressed a different opinion?—There was a man of the name of M'Geary, whose house had been destroyed; he was a more respectable man than any of the others; I overtook him going into Armagh, and he requested that I would speak to Mr. Algeo, Lord Charlemont's agent, to have his house repaired as well as that of the others; I asked him the reason why it was not to be repaired; he said, because he would not swear falsely against me; I asked him who the persons were who had required him to do so; he said several, and upon my pressing him to name any, he named three or four; he stated that they wanted him to swear against me what he knew to be false, and that he would not do so, and in consequence they would not return his name to have the damage his house had sustained repaired; I told him I would speak to Lord Charlemont's agent as soon as I went into Armagh, and I would tell him what passed; the petty sessions were sitting at the time, and he came into the court-house, and the moment I called his name to bring him before the agent to repeat to him what he had stated to me, he slipt out of the place, and I could not find him afterwards.

9588.* Have you any reason to suppose the evidence you gave upon the trials at Armagh was satisfactory to the court?—The judge, when charging the jury, which he did at great length,—the trials did not terminate till eight o'clock at night,—made use of the following words, which I took down myself in the court at the time; it was the Chief Baron Joy, and I believe a more upright, honourable man and a more impartial judge never sat upon the bench. The words he made use of were these: "and here once for all I think it necessary to state, that it is impossible any person could have shown more spirit, or used more exertions than Colonel Verner did upon that occasion."

9589. Did you ever hear that the conducting of the prosecution was confided to yourself and Colonel Blacker?—I could not have heard it, because at the assizes; when that is stated to have taken place, I was so unwell in Dublin that I was unable to attend; and it was not until afterwards that I heard there was to be any prosecution against the Maghery people for the attack upon the Saturday.

9590. What part did Mr. Hancock take at the investigation at Lurgan?—He took a very active part in procuring the attendance of witnesses, and examining them himself afterwards.

9591. Did you get a letter from Government to attend there as a magistrate?—I got a letter similar to that which was produced by Mr. Hancock.

9592. Did you see any papers laid before Mr. Perrin, from which he examined the evidence?—There were papers brought in in the morning previous to the commencement of the proceedings, and submitted to Mr. Perrin, from which he examined the witnesses.

9593. Who brought the papers in?—I do not recollect.

9594. Did you object to this?—Yes, I did.

9595. Did Mr. Hancock live in Lurgan?—He did.

9596. Did Mr. Perrin stop at Mr. Hancock's house?—He did.

9597. That you state positively, do you?—I state positively he did.

9598. Did Mr. Perrin decline examining any witnesses?—He did.

9599. Did you remonstrate upon that?—I did.

9600. Do you think that Mr. Hancock's exertions were confined to procuring evidence on one side only?—Entirely so, as will appear by this affidavit:

County of Antrim, to wit. } The joint and several affidavits of James Edwards, of Bridge End-hill, Lisburn, yeoman; William Trumbal, of said place, muslin weaver; and William Watson, of said place, carpenter; who of their own mere motion, and without any solicitation, came this day before me, and made solemn oath on the Holy Evangelists; and say, each and every of them, That on Sunday, the 3d day of June 1821, they and each of them saw a boat upon the canal near Lisburn, esteemed to belong to the owner of the Vitriol Island, there situated, and under the command and control of William John Hancock, gentleman, of Lisburn, who superintends the vitriol works in said island, having a large green flag on a mast in the forepart of said boat, having a harp without a crown of yellow materials inserted thereon, and a cross of white materials, which was hoisted so as to make it conspicuous, the said William John Hancock being then in said boat with two other men. These deponents say, each and every of them, That, on the 12th day of July last past, the said boat up said canal was again decorated in the same manner;

manner; namely, a green flag, having a harp without a crown and a white cross thereon, when the Loyal Association of Orangemen passed on the bank of said canal near said boat; and they and each of them are as certain as they can be under such circumstances that the said Hancock caused the said boat to be so decorated, in derision and for the purpose of exasperating the said association, and provoking them, by such irritation, to commit acts of violence, which however they dispersed too much to have any such effect.

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Sworn before me, one of His Majesty's Justices of the Peace, and no Orangeman, Lisburn, 18th October 1821, *W^m Hawkshaw.*

William Watson.
James Edward.
William Trumble.

9601. Was there any objection to the investigation being held at Lurgan?—There was; it was objected to, as being so far distant from the place where the outrage took place; consequently it was a great way for the witnesses to come, and also for some of the magistrates; Portadown was generally recommended, as being more central.

9602. And, notwithstanding that recommendation, the investigation was held at Lurgan instead of Portadown, was it?—It was; and it was the depth of winter, one of the severest seasons I ever recollect; I was residing 13 Irish miles from the place, and suffered severely from my attendance at Lurgan.

9603. Did the magistrates make any remonstrance against the investigation being held at Lurgan instead of Portadown, which was more convenient?—They did.

9604. Was the remonstrance made publicly in the court?—Yes, it was.

9605. By whose authority was it held at the other place, Lurgan?—It was ordered by the Government to be held at Lurgan.

9606. Are you aware that Mr. Perrin had sent a report to Government, expressing himself very strongly against your conduct as a magistrate, and recommending that you should be prosecuted?—I think I heard from Lord Anglesea, the Lord Lieutenant of Ireland, that a report had been made by Mr. Perrin, and I think his Excellency added, "it was not favourable;" but the contents of that report I never heard or knew of until I heard it read within the last few days.

9607. Had you been aware of Mr. Perrin's report, how would you have acted?—I should have requested the Lord Lieutenant to have complied with the advice, and to have instituted a prosecution against me; and when I heard the Lord Lieutenant state that he thought Mr. Perrin's report was not favourable to me, I then requested him, if he was not satisfied, or if any doubt remained on his mind that I had not done my duty as a magistrate and as a country gentleman, to institute another investigation, as I was quite satisfied the more the subject was inquired into, the more he would be convinced I had done my duty.

9608. Had you any reason to think the Maghery people were unwilling to give evidence against the persons who committed the outrage?—I am sure they were; because when we attended the first day at Maghery, Mr. Algeo, who was there as a magistrate and agent to Lord Charlemont, and Mr. Patten, the chief constable, went through the village, Mr. Patten stated, that he was unable to prevail upon the people to come forth to give evidence before the magistrates; Mr. Algeo said he had used all his influence on the occasion with as little effect.

9609. With regard to this particular inquiry, I think you said Mr. Perrin refused to call witnesses. Did you offer to call any witnesses, and were you refused by Mr. Perrin? Did you tender any evidence?—I will explain what took place on the occasion: there was a witness whom I expected to be called, who was not called; when I mentioned his name to Mr. Perrin, he said, "It is not my intention to call that person, as I understand he can give no evidence worth having." Conceiving that the man's evidence was valuable, I insisted upon his being called, and said, that I considered the investigation would not be complete unless he was examined; and in consequence of my remonstrance he was called and examined.

9610. What was the name of the witness?—I do not recollect.

9611. Was there any other instance in which Mr. Perrin refused to call material evidence when tendered?—I do not think he refused to call any after that.

9612. So that, in point of fact, all the evidence that was tendered was heard, was it?—I believe it was.

9613. Upon what did you ground your statement, that Mr. Perrin refused to call witnesses; was it solely in the case to which you have just referred?—I grounded it upon this, that the witness had been previously examined; that his evidence was

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not such as was satisfactory to the person who had examined him, and he therefore had given his name to Mr. Perrin not to be called; that is my reason.

9614. You had no means of ascertaining the facts?—I had. I asked several of the witnesses if they had been examined, and they said they had, by Mr. Hancock, previous to their appearing before the court.

9615. Did you ask this particular witness to whom you have particularly alluded?—I cannot recollect whether I asked him or not, but I think the probability is I did.

9616. You do not recollect his name?—No, I do not.

9617. And you cannot speak positively as to the fact of your having examined him?—It is very likely, if I had time to go over my papers, I should be able to speak to it, because I took down, not only the proceedings at the time, but every circumstance that took place; and I have no doubt it is on my notes, that this witness was objected to being called by Mr. Perrin, and that I insisted upon it.

9618. You were asked, have you any reason to think that the people of Maghery were unwilling to give evidence against the persons who committed the outrage?—I have reason to think so.

9619. Will you state the reasons?—Because if they had sworn against any of the persons who had committed the outrage, they could not recover compensation off the county for the damage that was done to their houses.

9620. Do you know any other instance, when a similar reluctance has been shown?—I do, in the case of the burning of some houses in the county Armagh in December last; the persons who were examined belonging to those houses, swore they did not know any of the persons who were concerned in burning them. I believe this unwillingness arose from the same cause, because they afterwards, at the following assizes, recovered off the county 354*l.* 15*s.* 3*d.*

9621. Can you state from what cause that reluctance to give evidence arose?—From the cause I have stated.

9622. But if at the assizes some of the money was recovered, it must have been awarded to them, because the jury believed them upon the burning petition—the truth of the statements that were made?—I suppose so; but I beg to observe, that since they have recovered compensation off the county, they have sworn against persons for burning their houses, some of whom were tried at the last assizes.

9623. Were they convicted?—I am not sure whether they were or not; I believe not.

9624. Do not you know that it was alleged that a portion of these people came from Killyman, which is at some distance?—I heard so.

9625. Were you in the county of Armagh when those houses were burned?—I was not. I was not there until afterwards.

9626. Do you know, of your own knowledge, of any of the outrages that were committed at that time?—I do not. I was out of the county.

9627. Did you, upon your return, find a great degree of alarm prevail?—I did.

9628. Do you think that there was any cause of alarm then, or at any other time?—I am certain there was, from letters I received, stating there were armed bodies marching through the country.

9629. Have you any reason to suppose that part of the country where those houses were destroyed is considered unsafe for Protestants to pass through?—I am sure it is, for I know of my own knowledge, of Protestants having been beaten upon that road frequently; and I was myself cautioned, more than once, not to travel that road at night.

9630. Were you at Dungannon the first time Mr. Marcus Costello passed through?—Yes.

9631. Did you take any part upon that occasion?—I did not; because when I heard that I had been unjustly charged for the part I had taken, in endeavouring to protect the property of the people at Maghery, I thought that if any disturbance had taken place in Dungannon, and I had been seen there, I might have been charged as taking an improper part on that occasion; and I went and placed myself beside the assistant barrister, who was then presiding at the quarter sessions, and remained with him until Mr. Costello left the town.

9632. Were you at Dungannon when the procession took place in 1830?—I was.

9633. Did you go there in order to attend that procession?—Certainly not.

9634. For

9634. For what purpose did you go?—I went there, with Mr. Verner, to pay a visit at Mr. Darley's, outside the town of Dungannon.

9635. Did you reach the town before or after the procession?—I reached the town after the procession had entered it.

9636. Did you see any riot take place?—I did not.

9637. Was there a riot?—There was.

9638. Was it before or after your arrival?—It was before my arrival.

9639. Did you quell it?—I did not; I could not quell it, because it had ceased before I had reached the town.

9640. Where did you go afterwards?—I went to Mr. Darley's.

9641. What occurred there?—I heard that the colliers had been sent to, to come into the town, for the purpose of renewing the attack which had been made upon the Orangemen.

9642. Did you go in the direction of the colliery?—I did.

9643. Did you return into the town at the head of the procession?—I went in the direction of the colliery, to render any assistance that might be necessary, as a magistrate and as a country gentleman, hearing that there was a body of Orangemen coming in the direction of the colliery, which they had to pass; and when they had passed it, and joined the others, they all returned to the town together, and I went at their head; in like manner as the present Lord Lieutenant went at the head of the procession upon his arrival in Dublin.

9644. What did you do when you got into the town?—Understanding they intended to march round the town, I withdrew from them, and went to Mr. Duff, who was standing upon the flags, and entered into conversation with him.

9645. What became of the procession?—They marched round the town, I believe.

9646. Did you accompany it?—I did not.

9647. What happened after that?—After that, the master of the lodges went to a room to the court-house, and I followed them and joined them there.

9648. Are you connected with the county of Tyrone as an Orangeman?—I am not.

9649. Do you hold any official situation in the county?—None, as an Orangeman.

9650. You say you entered into conversation with Mr. Duff, the chief constable of the police?—I did.

9651. Did Mr. Duff tell you he should feel himself bound to report your conduct to the Government and the Lord Lieutenant of the county?—He did not.

9652. Did you afterwards hear that Mr. Duff had reported you?—I did.

9653. And that he had reported you as being decorated with orange and purple?—I did.

9654. Were you so decorated?—I consider I was not.

9655. What do you consider to be the emblems or insignia of the Orange institution?—I consider sashes, ribands, medals, scarfs and cockades.

9656. Had you any of those about your person?—None.

9657. Were you in the habit of wearing an orange handkerchief?—I was; and I had that handkerchief round my neck, under my waistcoat, on that day, and this was the identical handkerchief I had on—[*showing a handkerchief.*]

9658. That is the scarf Mr. Duff spoke of, is it?—It is.

9659. Would you not conceive, that a person who wore a green handkerchief as a symbol of party would be very apt to give offence to persons of the opposite class?—It depends upon the purpose for which he wore it. It would not, in my opinion, justify the report, that the person who wore it was decorated with party emblems.

9660. If he used it as a symbol party; supposing it was a green handkerchief, and used as a symbol of party, and with that intent, do not you conceive that that would be offensive to those who are not of the green party?—I have frequently seen it worn as a symbol of party, and I have taken no offence at it.

9661. Did you wear that orange handkerchief as a symbol of party?—I wore that handkerchief in case any riot had taken place, that I might be known to both parties equally.

9662. That you might be known as an Orangeman, you mean?—That it might be known who I was.

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9663. Are you not known without the use of an orange handkerchief?—I am not.

9664. Then the orange handkerchief was a symbol by which you were to be known, was it not?—Of course.

9665. Did you attend any meeting afterwards?—I did.

9666. Was that a private meeting within doors?—It was.

9667. Was any person admitted to that meeting but those who were eligible from their standing in the institution?—None.

9668. Were resolutions then passed?—There were.

9669. Did you approve of those resolutions?—I did.

9670. The thanks of the meeting were voted to you at that meeting for your attendance, were they not, upon that occasion?—They were.

9671. From which it is to be inferred, that you are not a member of that meeting?—The thanks having been voted to me for my presence, I conceive had I been a member that would not have been the case.

9672. If Mr. Duff had reported that you had headed the procession through the town of Dungannon, and quelled the riot, would you consider that a correct report?—Certainly not.

9673. If you were reported to have been decorated with orange and purple, would you consider that a correct report?—I should not.

9674. You are a magistrate of the county of Tyrone, and a deputy lieutenant, are you not?—I am.

9675. As such, do you consider it would have been the duty of Mr. Duff to have told you, when you had that conversation to which you have alluded, that he intended reporting you?—I do; filling both those situations, I consider it was due to me that Mr. Duff should have told me his intentions, and considering the friendly terms we were on at that time; had Mr. Duff done so, I should have told him that I approved of his conduct, that he was doing his duty, and that he was perfectly correct in reporting what he saw; but I would, at the same time, have explained to him the reasons why I had appeared with the procession, which he could have embodied in his report to the Lord Lieutenant of the county and to the Government.

9676. When were you aware that Mr. Duff had reported you?—I was not aware that he had reported me until I received a letter from Lord Caledon; I heard also from Lord Roden that the subject had been mentioned in the House of Lords.

9677. How long after was this mentioned?—It was some time afterwards; my answer to Lord Roden was dated the 10th May 1832; his letter mentions to me the subject had been brought before the House of Lords, and he wished to know the true state of the case, and what had taken place, in consequence of which I wrote to him, stating the facts with regard to what had taken place. I have a copy of my letter here, which corresponds with that I have now stated.

9678. Had you any correspondence with Lord Caledon in consequence?—I had.

9679. What was the result of that correspondence?—The result of that correspondence was, his Lordship stated, that as the Government was satisfied with my explanation, he did not consider it necessary to take any further notice of it.

9680. Was Mr. Duff considered to act with impartiality?—I think he acted with the greatest partiality.

9681. Was Mr. Duff considered to entertain feelings of hostility to the Orange party?—Very much so indeed; not so when I first had the pleasure of knowing him, quite the contrary.

9682. Did you ever hear Mr. Duff express any opinion, as to what he considered would be the result of his report?—I did hear from more than one person, that Mr. Duff had expressed that he would get me deprived of the commission of the peace.

9683. What became of you when the meeting broke up?—I returned home.

9684. Did any thing take place between you and Mr. Duff afterwards?—There did; some time afterwards I was walking in the streets of Dungannon, and I had a marygold in the button-hole of my coat, and I said to Mr. Duff in passing, "there is food for another report;" that was followed by some very strong language from Mr. Duff.

9685. Was any person present when that conversation took place?—I do not recollect having seen any person.

9686. Could

9686. Could any persons have been present without your having seen them?—Yes, certainly, because it was in the street.

9687. There was no person present, to your knowledge, was there?—There might have been, as I said before, because it was in the street.

9688. Did you meet Mr. Duff a second time?—I did.

9689. How long afterwards was it?—I should think it was about half an hour afterwards.

9690. Did any thing pass between you then?—Nothing whatever.

9691. Did you hear that Mr. Duff had made any observations afterwards, or held out any threat of what he would have done, if any thing had passed between you?—A gentleman told me that Mr. Duff asked him if he had heard what had passed between himself and myself in the streets of Dungannon; that he said he had gone home, and had returned with pistols in his pocket, and that, had I attempted to lay a hand upon him—his words were, "By the living God, he would have shot me upon the spot."

9692. Is the person who told you that, ready to come forward and give evidence upon that subject before this Committee?—He is.

9693. Do you know a person of the name of Patrick M'Connell, who was examined before this Committee?—Yes, I do very well.

9694. Was he employed by you at the election in the year 1826?—He was employed for me.

9695. In what situation was he employed for you?—He was employed as what they call an out-agent.

9696. What was his religion at that time?—He was a Roman Catholic.

9697. Why was he employed by you?—Because, being a Roman Catholic, I was told his influence with the Roman Catholics was very great, and his disposition to serve me was so good that I ought to employ him.

9698. Do you know whether he rendered you any service in consequence of his being so employed?—I never heard he had; I never discovered it, if he did.

9699. In what situation was he then?—He was a schoolmaster.

9700. Is he still a Roman Catholic?—He professes to be a Protestant of the Established Church.

9701. Has he since that threatened to bring an action against you?—He has.

9702. For what reason did he threaten to bring that action?—For some words that I did not make use of at a meeting in Dublin.

9703. Is he not considered as opposed to the Protestant gentry and the magistrates of the county?—I think he has proved it in several instances; he is very much opposed to Colonel Blacker, Dean Carter, particularly Lord Mandeville, myself and Mr. Woodhouse; in short, I think he is opposed to all the gentlemen of the country, with the exception of Mr. Hancock.

9704. One of the gentlemen to whom you say he is opposed was a magistrate; but he has been deprived of the commission of the peace, has he not?—He was, after having held the commission of the peace for upwards of 30 years.

9705. Do the Protestants think that even-handed justice is not extended to them?—They do.

9706. Can you mention any instances?—Yes, I could mention several; I have a number of letters and documents upon the subject, but I do not like to take up the time of the Committee by reading them.

9707. Do you recollect any soldiers being tried for disaffection to the Government, during the period of the rebellion in the year 1798?—I do—I was present at the trial—of two men of the Tipperary militia in Armagh; one was of the name of Hickey; the whole of the grenadiers had been sworn by him not to allow any man to be punished for any offences connected with the United Irish business; Hickey was found guilty, and shot.

9708. Do you recollect the circumstance of some soldiers of the Monaghan militia being tried and convicted for treasonable practices about the same time?—I recollect having heard of four men being shot for treasonable practices in that regiment.

9709. Are you aware that the first Orange Lodge that was established, was established in the Monaghan militia in consequence of that circumstance?—I have heard so. I cannot state it from my own knowledge.

9710. Orangemen have, at various times, and at various places, published resolutions and declarations of their principles; can you refer to any cases not already in evidence?—I can refer to several; but I am afraid they are not evidence, because they are only extracted from newspapers.

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9711. It was stated in evidence that Mr. Hamilton, of Dromore, had been forced to absent himself for two years, in consequence of some man having been shot by the yeomanry, by his orders, and that on his return he had been made a magistrate; is that the case?—It is not; he never was a magistrate. I beg to add, that I recollect the circumstance perfectly; and I recollect Mr. Hamilton having been very much censured for having called out the yeomanry upon that occasion; and that was one of the reasons why I considered it would have been highly improper in me to have made use of the yeomanry, as a military body, at Maghery.

9712. Mr. Duff, in his evidence before the Committee, handed in a letter from Mr. Atkinson, the chief constable of police, enclosing a statement from Mr. Jackson, with respect to Mr. Wear, the storekeeper of Charlemont; could you give any explanatory information to the Committee bearing upon that circumstance?—I should beg leave, in answer to that question, to read the following letter, accompanied by an affidavit:—"Charlemont, 1st August 1835. Sir, I beg to return you my sincere thanks for the hints contained in your note to Mr. Martin; the whole is a malicious falsehood; and I am really astonished how Mr. Duff could lend himself in support of a charge which he must know to be without foundation. On the morning of the 17th January, Mr. Cardwell, of Loughall, called upon me with a removing license and order for one and a half barrels of merchant's powder, which I was bound to furnish when proper authority was produced to me; from this circumstance, some persons reported to Sir F. Stovin, that I issued, that morning, to Captain Clarke a quantity of ball cartridges; in consequence of which, Sir F. Stovin called upon me to explain the circumstance, which I did clearly to his satisfaction; Mr. Duff was also present, which makes that gentleman's evidence really absurd. I cannot account for a statement of this nature, except it has emanated from malice, by my prosecuting his brother, John H. Jackson, by order of the Board of Ordnance, for stealing a gate from the Glacis paling at Charlemont. I beg leave to enclose an affidavit to show the absurdity of the charges produced by Mr. Duff; and when called upon to explain officially, I shall take law proceedings against the party. I am afraid this falsehood may injure me (until an explanation takes place) in the eyes of Sir H. Vivian. I sent a memorial to the master-general on the 21st last month, requesting to be removed to England, when a vacancy occurs, in consequence of my ill state of health; which memorial General Macdonell was good enough to forward with his support. I now stand charged, for the first time in my life, after 32 years' services, of a breach of duty. May I request you will be pleased, should you have an opportunity, to remove any bad impression from the mind of the master-general, until the investigation, which of course will occur, is over. I have the honour to be, Sir, your most obedient, humble servant, George Wear, storekeeper." The affidavit is as follows:—"This day came before me George Wear, ordnance storekeeper, who maketh oath, that the last issue of ball cartridges made by him to Captain Clarke, was on the 10th of March 1831; and since that period he never issued a single cartridge to Captain Clarke for any purpose whatever. Also, that he issued to William Jackson two barrels of merchant's powder on the 26th of December 1834, one barrel and three quarters on the 14th of February 1835, and two barrels on the 14th of June 1835, on William Jackson producing removing license, and order from the merchant's to whom the powder belongs. George Wear, storekeeper. Sworn before me at Moy, this 1st day of August 1835, James Hay, justice of the peace for Armagh and Tyrone."

9713. You heard the evidence of Mr. Duff, did you not?—I heard a great part of it.

9714. Mr. Duff stated, he gave in that statement which is furnished by him, as secretary under Sir Frederick Stoven, as the chief of the police, giving, at the same time, the highest possible character of Mr. Wear; do you recollect that?—I believe he did.

9715. He did not at all pretend to give those persons any authority that he had, but merely the report that was furnished to him in his official capacity?—It might be so.

9716. He received it as the chief constable of the police of the district; he is secretary to Sir Frederick Stoven, and in that capacity his communication was made; and while that was so, he gave the highest possible character to Mr. Wear?—I cannot say.

9717. In the evidence, I believe, of the Maghery case, you stated there were

24 guns that you counted among the party; is that within your recollection?—If I gave that evidence, I am quite satisfied; I had no doubt about its correctness at the time.

9718. At what time and at what place did you see those men who were going to Maghery?—I have already stated that I saw them first on the bridge.

9719. You were not then apprehensive, as it appears, that there would have been a battle at Maghery from strangers coming into the town to give opposition to the men from Killyman?—I did hear it, but I am not certain whether it was immediately previous to my leaving home or on my way to Maghery; I did hear that a number of persons had come from the Tyrone side to join the people at Maghery.

9720. You wrote to the lieutenant of the corps of the name of O'Neill, did you not?—I did.

9721. You wrote to him to have a few steady men, did you not?—Precisely so.

9722. For the purpose of going to Maghery and prevent that collision?—No, to be ready in case I sent to him.

9723. What is the number of your corps?—No. 95.

9724. Have you any Catholics in your corps?—None.

9725. Are they all Orangemen?—They are not.

9726. Are there ten of them that are not Orangemen?—I am certain there are a many more, but I really do not know the exact number, because no man is asked the question upon joining the corps.

9727. Are there any Roman Catholics living in that county?—Of course there are.

9728. What is the proportion of the population, comparing the Roman Catholics with the Protestants?—I cannot say; in some districts there is a Protestant colony, and then adjoining that a Roman Catholic colony.

9729. In the circuit about which your corps is placed, as far as you can judge, what is the relative proportion between the Roman Catholics and the rest of the population in that district; are the Catholics equally numbered to those of all the other persuasions?—Within what distance?

9730. The circuit about which your corps is placed?—I should be disposed to say they are about equal.

9731. Of what description of men is the yeomanry which you command generally composed as to condition in life?—They are farmers and weavers.

9732. And labourers, some of them, are they not?—I do not know that they are.

9733. Is the majority of them weavers?—I do not think they are, because the linen trade not being so good as it was, many have become farmers, who previously supported themselves by weaving.

9734. They support themselves rather by farming than by work, do they not?—They do.

9735. Those that were weavers have become labourers probably?—I do not mean to say that there are not many labourers employed in that part of the country, they mostly have small farms, which they labour themselves.

9736. Are there any labourers in the corps to your recollection that is, mere labourers, men who have no farm?—There may be some.

9737. Do you recollect that there are?—There are some of the persons residing in the lodges at my gates, who work and labour for me, and who are yeomen in the corps.

9738. Now is not one-half of the corps composed of weavers and labourers, and such persons as you have described?—I do not know whether they deserve to be so considered, because they weave and labour both; they have mostly small farms, and those they labour and farm themselves, and they also support themselves by weaving.

9739. Are there not many of them who are mere weavers, without having any farming land whatever attached to the houses in which they live?—I do not think there are many, there may be some.

9740. Are there any Roman Catholics holding comfortable small farms in that part of the country?—There are some, but not many.

9741. There is no man of that description in your corps, is there?—No, there are no Roman Catholics.

9742. What did O'Neill do who received orders from you to have a few steady men ready, and with what object did you give those orders to O'Neill?—The object

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object of my giving the orders to O'Neill was, that if any conflict had taken place between the two parties, that I should have had these men to assist me in endeavouring to quell the disturbance.

9743. You are not able to recollect when you received the intelligence first, that the Tyrone men were to come into Maghery and to oppose the men from Killyman, and that there was likely to be an engagement; you cannot fix the precise time when the intelligence first reached you; you cannot tell whether it was after that time you saw the men going to Maghery by Verner's Bridge, or previous to it, that you had learned the boys of Tyrone were to come upon Maghery to resist the men from Killyman?—I am certain that it was after I heard that the party was on its way to Maghery from Killyman; I think, as I have already stated, it was either just before I left home, or on my way to Maghery.

9744. Did O'Neill prepare those steady men which you desired him to have ready, according to your instructions?—I think he told me he sent to some persons to say, if he hoisted a flag they were to assemble at a certain place.

9745. That is what you think he said to you?—I think it was.

9746. You say that some of the yeomanry are four or five miles distant from your residence?—They are.

9747. Now the first time you met those men going upon Maghery it was between eight and nine o'clock?—It was near nine o'clock.

9748. At what time did they return?—Between eleven and twelve.

9749. Do you mean to say they returned by the same gate?—They returned by the same road.

9750. What is the distance from your place to Maghery?—Two miles and a half.

9751. You are not sure as to the time when the men returned, are you?—From Maghery?

9752. Yes?—No, I am not, that will appear in my former evidence.

9753. Well, in the course of two hours you could have had all the yeomanry assembled that were fit for duty if you wished, could you not?—I do not think that I could.

9754. Take the inner circle of the yeomanry, you could have had 50 of the yeomanry in the course of two hours, could you not?—My answer to that is, if I could have collected the whole of my yeomanry in a quarter of an hour, I should not have felt myself justified in calling them out, because I had heard that in some instances in which the yeomanry had been called out, it was strongly reprobated by the Government, so that under no circumstances should I have felt myself justified in calling them out, and therefore it was that I wrote to O'Neill to get a few steady men, not as yeomen.

9755. He was the lieutenant of the corps, and you wrote to him to have some steady men for the occasion?—Precisely so.

9756. Of course you meant to interpose between the two parties coming into collision as you ordered that those same men should be armed?—I did not order that they should be armed; I supposed they would be armed.

9757. Would it not be likely they would be yeomanry?—Very likely that many of them might be yeomanry.

9758. But a majority of them would be, would they not?—In all probability.

9759. So you did then actually give instructions to the lieutenant of the yeomanry corps to call out some men on that occasion?—No, I did not.

9760. You gave instructions to Mr. O'Neill to have a few steady men ready, did you not?—I did, but not to call them out. I told him to have a few steady men prepared in case I sent to him.

9761. Did Mr. O'Neill see those men who had been at Verner's Bridge at the time you wrote to him?—No.

9762. Was he aware of the expected collision between the two parties?—I am sure he was not; he had not the slightest intimation of it; until he got my note, he knew nothing except what my note expressed.

9763. Was Mr. O'Neill at Maghery?—I do not think he was; I am sure he was not inside the village.

9764. Did he obey your instructions and come with a few steady men?—I did not order him to do so; I only ordered him to have a few steady men ready.

9765. Your letter was only conditional, was it?—Yes.

9766. He was only to be ready with those men?—Precisely so.

9767. Did

9767. Did he wait with the men?—I do not know that he collected the men.

9768. The note was that he should have a few steady men ready in waiting?—No, not in waiting, but prepared.

9769. So that when you wrote to O'Neill, the lieutenant of the yeomanry, it was under an apprehension that there would have been a collision between two armed parties in the town of Maghery?—It is impossible I could tell what might take place.

9770. You say you thought the people of Tyrone would come into Maghery to assist the Maghery people?—I said I heard it on my way to Maghery, or just as I was leaving home; it was after I had written to Mr. O'Neill that I left home.

9771. Then you do not know when you heard it?—Not exactly; I think it was on my way to Maghery; I am pretty certain it was after I wrote to Mr. O'Neill that I heard it.

9772. There were some men in Maghery that belonged to the corps who were at the town of Maghery, were there not?—None inside the village.

9773. But immediately near?—There were at the entrance.

9774. Were they armed?—Some of them were.

9775. How many?—I cannot tell, I was engaged in the village, and going into the houses.

9776. What support had you?—I had no support.

9777. Was Captain Lloyd with you?—He was not; I left him at the entrance into the village, having succeeded in stopping a portion of the party from entering it. I left Mr. Lloyd there, with instructions to use all his influence to prevent them following the others in my absence.

9778. What persons were they?—A portion of those who came over my bridge, I cannot permit them to be called Killyman men, because it would appear extraordinary, if they were Killyman men, that I should not know some of them living in the parish, and therefore I am of opinion that most of them came from a distance.

9779. However, they came to avenge the treatment experienced by the people of Killyman before that; now did not the whole of this arise out of the circumstance of the breaking of the drums, and beating some of the persons who were on Saturday at Maghery?—I believe it did.

9780. Were not those at Killyman?—Not all.

9781. Some of them were, were they not?—Some who came over the bridge, but there were a great many who were not.

9782. Do you suppose that there were any of the persons forming the first party on the Saturday and the second party on the Monday?—I do not; I did not see any persons that I saw there on the Monday, that I saw with the party on the Saturday; but I think it is very likely there were.

9783. It was a much more numerous party on the Monday than on the Saturday, was it not?—Yes.

9784. Independent of the guns, what was the nature and extent of the people who went there?—I think the person who gave the best evidence on that subject is Mr. Donaldson, the curate, who counted them as they passed.

9785. Where did Mr. Donaldson see them?—He saw them close to Maghery, about a quarter of a mile from it.

9786. You counted the guns yourself at the bridge, did you not?—I did not, so as to be able to state the exact number.

9787. Are you aware of the number of guns that Mr. Donaldson afterwards stated he saw?—I do not recollect; I heard the evidence given.

9788. Forty-five was the number he stated, was it not?—Perhaps so.

9789. So that from what quarter could those guns have come that were added to the twenty-five guns you say you saw at your bridge?—I am certain there was not a gun added to the party who came over the bridge for the purpose of joining in the attack upon Maghery.

9790. Then the other persons who were there with those guns, would you suppose they were there for the purpose of the protection of the people and the preservation of the peace?—I think the other persons who were there came in consequence of seeing these people passing along the road, not knowing what was intended. I think some of these persons, might have been counted by Mr. Donaldson as having belonged to the party who came over the bridge for the purpose of attacking the place.

9791. Now, Colonel Verner, with the influence you had there, so near your own property,

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property, and you being commander of a yeomanry corps at Maghery as you were, do you not think that in a very short time you might have had a force of fifty men to obey your orders for the preservation of the public peace, or the apprehension of the violators of the law?—How was I to collect that force?

9792. Through your lieutenant, Mr. O'Neill, and a variety of others?—Mr. O'Neill was not there; I was occupied, I think, in the most useful manner in which I could be occupied, which was to endeavour to protect the lives and property of the people of Maghery, in doing which, I frequently risked my own; and if I had left Maghery in order to collect a force to oppose these people, it is difficult to say what the consequence would have been.

9793. How many men were outside, immediately near Maghery, who were armed?—I cannot tell; I was engaged inside Maghery, and could not tell what was doing outside. I did not know what number of persons were collected outside Maghery until I was going away. I was up and down the town in every direction, in every place where I thought there was any danger, and where I thought my presence would be most useful.

9794. At what distance did you desire Mr. O'Neill to remain, or where was he to expect your orders from the town of Maghery?—At his home, about the same distance that I am from Maghery.

9795. Is it about two Irish miles and a half from Maghery?—Yes.

9796. You are a member of the Grand Orange Lodge of England, are you not?—I am an honorary member.

9797. You of course heard last night in the House of Commons, the statement of Colonel Perceval, that if all Riband Societies, and societies of that nature, were put down, that the principal persons of the Orange Lodges would consent to the suppression of Orange Lodges?—I do not recollect hearing him say so.

9798. Is it not the fact that Colonel Perceval did say last night in the House, that if the Riband Societies, and all societies of that description, were put down, he and the principal Orangemen would be quite satisfied to have the Orange Societies put down also; will you tell the Committee whether you participate in that sentiment?—I think if all other societies were put down and ceased to exist in Ireland, there would be no necessity for an Orange Society; and I recollect the period when the society had of itself nearly died away, in consequence of the peaceable state of the country, and in consequence of the supposed extinction of other societies.

9799. What year was that in that you allude to?—I do not exactly recollect the period.

9800. About how many years ago was it; was it before the emancipation or since?—It was before that time.

9801. Was it about the time of the Catholic Association?—I do not recollect the precise period.

9802. You cannot furnish the date, can you?—I cannot.

9803. Could you come within five years of it?—I should think it was—I really cannot recollect the year.

9804. Because the association of any thing like a Catholic Board was in 1793, and they revived again in 1804, I believe?—It was long after that.

9805. From 1804 to 1809, there was always somebody or other representing the interests of the Catholics, was there not?—I think it very likely.

9806. Have you turned in your mind, Colonel Verner, at all, what law you would suggest for the suppression of all continuous Orange Societies in Ireland?—I have not contemplated the extinction of Orange Societies in Ireland.

9807. Would you consent to the suppression of all societies bound by any secresy, or divided into any separate bodies?—I have no objection to the doing away with every thing that is considered as secret belonging to institutions.

9808. The question is not with regard to the Orange Society itself, but it is as to doing away with secresy in societies generally; would you consent to a law prohibiting any society bound together in any way, or recognizing each other by signs or tokens?—I doubt whether the law would be strictly obeyed, and what means should we have of knowing whether it was or was not?

9809. Would you assent to such a law, that is the question?—If I thought the law would be enforced, and impartially, I might, but when we have reason to know that a society, not Orange, and of a dangerous nature, exists at this present moment in Ireland, and we find the difficulty of proving the existence of that

society before this Committee, how can we be satisfied that any Act of Parliament for the suppression of secret societies would have the effect of suppressing that society?

9810. That does not meet the question; but supposing an Act could be passed efficacious for that purpose, would you consent to that Act applying to all Orangemen as well as Ribandmen?—I would, if I were satisfied that any Act of Parliament would really have the effect of suppressing all societies; but I much fear it would not have the effect of removing those prejudices that at present exist, and I do not see how that could be possible.

9811. An Act of Parliament cannot remove prejudices, but the object of the question is to see how far you will concur in an Act of Parliament for that purpose; now suppose that an Act of Parliament made Riband Societies a transportable felony and made Orange Societies only a misdemeanor?—I must be satisfied that the Act of Parliament could be impartially and effectually administered.

9812. If the Act of Parliament could be impartially administered, would you consider it a good thing?—I consider if it would have the desired effect, it would be a good thing; and I should be glad to see the necessity for the Orange Societies cease, in the extinction of all others.

9813. Do you know, even by reputation, of any person of the class of a gentleman belonging to a Riband Society?—I have heard there were.

9814. In what part of Ireland was it?—In different parts.

9815. Specify, if you please, the part of Ireland of which you have heard that such a fact exists?—It is merely that I have heard it; I have no means of ascertaining the fact; it is mere report.

9816. State even the report, if you please?—I do not think it is fair to mention common reports; I know that if I were to mention the statement of any person it would be improper, and I should be asked questions about the names of the persons alluded to, and consequently, for many reasons, it would be better for me not to mention any thing upon report.

9817. Do you not think it would be a desirable object to trace out Riband Societies as much as possible?—I do; and I am quite satisfied there is a Riband Lodge very near my place; I am certain there did exist one.

9818. Do you mean to say near your place there are any persons of the class of gentlemen who belonged to that Riband Society?—No, I do not.

9819. The object of the question is to ascertain whether any person of rank belongs to that society?—I can only state that I have heard so.

9820. Have you any objection to state in what place you have heard so?—I object to do so, because it might lead to the naming of persons.

9821. Then you do object to name the place?—Yes, having heard it in the manner in which I did, I do not think it would be right to do so.

9822. Do you not conceive, even admitting that the law might be partially administered between the different parties, as it relates to Orangemen on one hand and Ribandmen on the other, yet still there might be this great practical difficulty, the difficulty of legally proving the fact of the existence of Ribandmen?—I think there would.

9823. The Ribandmen of course are discountenanced by all the magistrates, are they not?—I believe they are.

9824. Of course they are discountenanced by all the police?—I suppose they are.

9825. And as far as their objects are known they are decidedly illegal?—They are.

9826. Then of course their only protection must be secresy?—So it appears.

9827. You do not apprehend that in all the parts in Ireland where there is the most Ribandmen, that is the north, there would be any difficulty in getting juries to convict them if there was legal evidence?—I am not aware that most Ribandmen are in the north.

9828. But you are aware, or at least you are convinced there are some Ribandmen in the north, are you not?—I have no doubt there are.

9829. Do you think there would be any difficulty if there was legal evidence against them, in procuring a conviction of Ribandmen in the north?—I have no doubt that for any illegal act there would be no difficulty in getting a conviction.

9830. There would be no leaning on the part of the jury in favour of Ribandmen,

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men, would there?—I am not charging the juries in my part of the country on one side or the other.

9831. You have not the least apprehension on your mind of a jury being packed favourable to the Ribandmen, and to acquit them upon evidence sufficient to require their conviction, in the north?—I have not the least apprehension of any thing of the kind in the part of the country with which I am acquainted.

9832. You are aware that the Orange Society in Ireland has placed all its books before this Committee, are you not?—I am.

9833. And you are aware also that it has authorized all its officers to give the fullest evidence which it was in their power to offer to this Committee, are you not?—I am.

9834. In your opinion, do you think that the Riband Society, if such a society exists, would give such authority to its officers, and would also furnish their documents to this Committee?—I think they would be very sorry to do so.

9835. Did you ever hear a doubt expressed that a Riband Society is an illegal one?—I should think it is an illegal society; in fact, I have no doubt of it myself.

9836. Have you heard from any credible quarter that Ribandism is spreading at the present moment in different parts of Ireland; for example, in Dublin and its vicinity?—I have no reason to know of the increase of Ribandmen except from their processions, but not having been in Ireland this summer, I know nothing of it except from hearsay.

9837. Are you aware that Ribandmen, as such, have held any processions any where out of Ulster?—I do not recollect any such circumstance.

9838. Do you recollect ever having heard of Ribandmen being any where out of Ulster?—I have heard so.

9839. Could you state the name of the town?—In many parts.

9840. Then if Colonel Perceval made a proposal last night in the House of Commons to suppress all societies by law, do you concur in that proposal?—I think I have fully answered that question already.

9841. Will you have the goodness to answer it again?—I think if the law could be carried into effect fully and impartially, I should concur in it, but I much doubt the practicability of any such effort.

Henry Maxwell, Esq., a Member of the Committee; Examined.

H. Maxwell, Esq.

9842. THERE is at the bottom of a warrant these words, "I am authorized to state on the part of the Grand Lodge of Ireland, that a marching warrant only differs from this in the district, being filled up thus: 'district of ——— regiment, Henry Maxwell, grand secretary;'" is that appended to a warrant that is sent for the signatures of the proper officers of the society?—It is not.

9843. This is merely a statement you have made for this Committee, written in this room, to point out the difference between a marching and a private warrant?—Precisely so; and I gave that explanation at the request of the other members who assisted me, as a sub-committee, to arrange the matter for the Appendix to our First Report; at the same time perhaps I may beg leave to state to the Committee, that I have, in my capacity of grand secretary to the Orangemen of Ireland, given directions that no warrant with my signature, as such, shall be applied to the purpose of forming Orange Lodges either in regiments or in the police (where I believe none exists), and that in the letter which I have written to the grand committee in Dublin, Colonel Perceval, who holds the office of grand treasurer of the Orangemen of Ireland, has requested me to convey the same directions from him.

9844. Your instruction was that no warrant should be given to any lodge either in the army or in the police?—Not exactly so; I cannot answer for others, excepting Colonel Perceval and myself; and what I wish to convey to the Committee is, that no warrant under either his signature or mine, shall be applied to such purpose for the future.

9845. Your instructions directly go to exclude persons in the army, and persons belonging to the police from admission into the lodges?—I do not conceive that; I have not any right to interfere with members either of the police or of the army as individuals.

9846. Are you aware that strict orders are given to every person connected with

with the police, that they shall not belong to any political society whatever?—I was not aware of it, but I think it is highly desirable.

9847. If such should prove to be the case, would you extend your instructions to those individuals who are in the police, by excluding them from admission as individuals into Orange Lodges?—The best answer which I can give to that question is, that I never would lend my name to any document which would have the effect of inducing any man, holding a situation, to disobey the orders which he had received from his superiors, and I consider that I state this in accordance with the principles of the society; I do not conceive I can explain myself more explicitly.

9848. Can you give the Committee any means of ascertaining how many Orange Lodges there are in Dublin?—In the city of Dublin?

9849. In the grand district of Dublin?—I rather think the registry book will show it, as it is called, which is in evidence, and which must give the most correct return as to the number of lodges in the different districts and counties throughout Ireland. I am aware that the returns that are made to the grand lodge in Dublin are extremely irregular, and I am not surprised that such should be the case, for I have myself, ever since I became a member of the Orange institution, been endeavouring to ascertain the number of Orangemen in the county with which I am more particularly connected, that of Cavan; I have never been able from the moment when I first commenced the inquiry to the present time to ascertain the number.

9850. Would that account to the Committee for your not being better acquainted with the issuing warrants by the grand lodge to regiments?—I would beg leave to explain to the Committee, that the reason why I am so little acquainted, though I hold so high an office in the society, with its details, is this, I have now been for about seven years holding the situation which I do at present, having been placed in that situation I believe the very day I was made an Orangeman, which was in the year 1828; I have ever since, from my Parliamentary duties, been condemned to spend the greater part of the year in London, and therefore little of my time (much less than I could wish) in Ireland, and of course I am not expected to know minutely what takes place there, especially when I am necessarily absent.

9851. You have, in point of fact, been but little in Dublin, and therefore could not attend to the proceedings of the lodges?—During the last seven years I have never been altogether above three weeks in Dublin, and I think I have only had two or three opportunities, in consequence of that, of attending a meeting of the grand committee.

9852. During the whole time you have been grand secretary, you have only attended two or three meetings of the Orange Society in Dublin?—Yes; I have been unable to attend oftener from my necessary absence, as I have already explained.

9853. In what manner are the warrants transmitted from Dublin for the signature of the Duke of Cumberland as grand master of the institution?—They are sent to me, or in my absence to one of the grand officers who happens to be in London; they are then transmitted, having previously obtained the three signatures of a deputy grand master, of myself as grand secretary, and of Colonel Perceval as grand treasurer, to the Duke of Cumberland, who then affixes his signature; they are then returned to Dublin, where they are issued by the grand committee as required.

9854. Have you any copy of a letter forwarding those, or an answer of the Duke of Cumberland on sending them back?—To the best of my recollection I have handed them in to his Royal Highness myself, and received them again from him.

9855. What reason have you to believe in the existence of Riband Societies at the present moment?—My reason for it is this, when I am in Ireland, during the few weeks in the course of the year that I have an opportunity of being there, I attend as closely as I can to county business; I am closely connected with a very large property, extending over many parts of the county which I represent, and I make it my business to attend five or six petty sessions, and within my experience as a magistrate, I know at least 50 cases of Roman Catholics coming before the different benches of which I am a member, complaining of other Roman Catholics having beaten them, and assigning as a reason for such beating, that they

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they would not join Riband Societies; and that has been the case up to the last year.

9856. Can you tell the number of cases which came before you last year?—I was but a very short time in Ireland during the last year; I was not there more than two months and a half, and I should say that during that time there were five or six cases.

9857. Did you not feel it your duty as a magistrate to sift very closely the existence of these societies?—I did, and with no success.

9858. From the evidence that has been given before this Committee, it appears that every attempt to discover the existence of a Riband Society has failed; you have heard that when a dispute takes place between Orangemen and Roman Catholics, the uniform course is to call the Catholic a Ribandman as well as they call the other parties Orangemen—is not that the practice?—That is unquestionably not the practice in those parts of the country with which I am acquainted. I have never heard of a Roman Catholic being called a Ribandman, unless there has been good reason for suspecting him to be such.

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APPENDIX.

(A.)

PAPERS connected with the Grand Orange Lodges of Ireland.

Appendix (A. 1.)

(A. 1.)
Grand Orange Lodges of Ireland.

PROCEEDINGS of the GRAND ORANGE LODGE of IRELAND, held at their Rooms, No. 85, Grafton-street, Dublin, on the 12th, 13th and 14th of November 1834.

Present:

Lieut.-Col. WM. VERNER, M.P., Hon. R. E. PLUNKETT, Lord LANGFORD, Earl of RODEN, Deputy Grand Masters, successively in the Chair.

GRAND OFFICERS:

Earl of Roden, deputy grand master.
Earl of Rathdowne, deputy grand master.
Col. Wm. Blacker, deputy grand master.
Earl of Bandon, deputy grand master.
Lord Bernard, deputy grand master.
Rev. John Graham, grand chaplain.
Rev. Charles Boyton, grand chaplain.
Rev. Francis Baker, grand chaplain.
Rev. John C. Martin, grand chaplain.
Rev. B. W. Dolling, grand chaplain.
Rev. R. O'Callaghan, deputy grand chaplain.
Rev. A. Preston, deputy grand chaplain.
Rev. H. Westby, deputy grand chaplain.
Rev. E. Hinson, deputy grand chaplain.
Rev. G. M'D. Johnson, deputy grand chaplain.
Rev. J. B. M'Crea, deputy grand chaplain.
Rev. M. O'Sullivan, deputy grand chaplain.
Wm. Swan, deputy grand secretary.
H. R. Baker, deputy grand treasurer.
R. H. Dolling, assistant grand secretary.
Stewart Blacker, assistant grand secretary.
Wm. R. Ward, grand solicitor.

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COUNTY GRAND OFFICERS:

Earl of Roden, G.M.	Louth.	William Swan, G. S.	T. C. D.
Hon. R. E. Plunkett	Meath.	Rev. E. Hinson	Wexford.
Earl of Rathdowne	County Dublin.	R. H. Dolling	Down.
Wm. Ponsonby	Tipperary.	John Kennedy	Tipperary.
Thomas Harris	Waterford.	Michael Fenton	Wicklow.
Rev. John Graham	Derry.	John Ryall	King's County.
Wm. B. Rogerson	City Dublin.	R. Nettles	Cork.
Sir E. Hayes, bart.	Donegal.	H. Richardson	Londonderry.
Wm. Percy	Leitrim.	T. Y. Prior	County Dublin.
Anthony G. Lefroy	Kildare.	J. J. Butler	City Dublin.
Col. Verner, M. P. D.G.M.	Armagh.	John Cochran	County Derry.
Mark A. Saurin	Down.	Sir D. J. Dickinson	T. C. D.
John Bourke	Waterford.	H. T. Higginson	Antrim.
G. Macartney	Antrim.	Robert Bourke	Meath.
Robert Baker	King's County.	Stewart Blacker, A. G. S.	Armagh.
A. Ellison	City Dublin.	Richard Hudson	Wicklow.
Robert Macneale	Louth.	Wm. R. Ward	Wexford.
Edmund Staples	Queen's County.	W. Compton Espy	City Dublin.
R. Donovan, D. G. M.	Wexford.	Thomas W. Lowry	Tyrone.
Edward S. Dix	T. C. D.	John O. Jones	T. C. D.
Gustavis Lambart	Meath.	H. Murphy	Meath.
Rev. George Giles	Mayo.	E. M'Naughten	Antrim.
Rev. H. Westby, G. C.	Wicklow.	H. R. Baker	Tipperary.
Rev. C. H. Minchin	County Dublin.	G. H. Peyton	Leitrim.
Rev. J. B. M'Crea	City Dublin.	G. M'Gusty	Louth.
Rev. A. Preston	Meath.	John Graham	Londonderry.

MEMBERS OF COMMITTEE:

W. S. Armstrong.	J. Glascott, jun.	R. Nicholson.
Thomas M. Archer.	A. Hughes.	Oliver Nugent.
J. L. Audouin.	J. Hassard.	George A. Nixon.
Wm. S. Ahmuty.	A. Hone.	Sir George Rich.
Hon. H. Bernard.	Rev. R. Handcock.	Thomas Read.
John Baker.	A. C. Hamilton.	George Richards.
Isaac Butt.	James Jones.	W. E. Sweeny.
George W. Boileau.	Arthur Jones.	Robert Sandys.
Chrichester Bolton.	Rev. T. J. Jacob.	Sir H. Stewart, bart.
W. W. Campbell.	Henry Irvine.	Robert Smith.
W. W. Childers.	Henry Leslie.	R. H. Sheehan.
W. F. Carter.	John Long.	H. St. George.
Rev. J. Curtis.	James Lendrum.	Henry Smith.
Thomas Doolan.	R. M. Moore.	Richard D. Speer.
Richard B. Dowse.	Whitney Mountray.	G. Trench.
Lambert Disney.	T. W. Macklin.	Samuel Wauchob.
G. M. Forster.	James Nixon.	George H. Young.

VISITORS:

J. M. Bournes, 1690.	Charles Hyndman, 1690.	George Preston, 1265.
J. Bournes, jun. 1690.	W. Huffington, 1690.	Rev. T. B. Ring, 1640.
John Booth, 1707.	Edward Jones, 1640.	J. Reynell, 1708.
James Crossle, 336.	R. G. Johnston.	T. B. Sunderland, 1672.
T. W. Corker, 504.	John Kidd, 1640.	J. Smith, 1809.
Henry Campbell, 505.	John Lawlor, 1690.	John Smith, 302.
John Drew, 1743.	F. Morgan, 1640.	W. Sherwood, 942.
W. C. Evans, 1660.	John Milliken, 1672.	Rev. D. Seymour, 1672.
Downes Evans, 862.	John Moore, 860.	R. Shaw, 780.
Rev. James Gamble.	J. Newport, 960.	George S. Webb, 6.
Henry Garde, 540.	H. Noblett, 540.	L. J. Walters, 709.
Campbell Gausson, T.C.D.	E. Norman, 1483.	Samuel Woods, 884.
F. J. Hackett, 1690.	C. M. Ormsby, 862.	John Wilson, 721.
J. Hadley, 1738.	J. Parr, 902.	

Apologies were received and read by the deputy grand secretary from the following brethren, expressing regret that unavoidable circumstances prevented their attendance at the grand lodge:—Lords Enniskillen, Cole, Farnham, Ely and Mandeville, deputy grand masters; Revs. Holt Waring, and the Hon. and Venerable Archdeacon Stopford, grand chaplains; Colonel Perceval, M.P. grand treasurer; Henry Maxwell, M. P. grand secretary; Revs. W. G. Stack, St. George Irvine, and C. C. Beresford, deputy grand chaplains; R. W. Phaire, grand master of Wexford; James Watson, grand master of Antrim; N. D. Crommelin, grand master of Down; H. Fry, grand master of Roscommon; Wm. Filgate, grand treasurer of Louth; Henry Johnstone, grand secretary of Monaghan; Francis Marguerin, grand secretary of Cavan; John Corbet, jun. grand secretary of Waterford; Richard

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Richard Bourke, assistant grand secretary of Waterford; Wm. Connor, assistant grand secretary of Cork; the Hon. A. Cole, M. P., George Vesey, E. J. Cooper, M. P., Jonathan Chetwoode, Richard Dobbs, Roger Hall, W. H. Birch, C. W. Armstrong and Thomas Waring, members of committee.

The county grand officers then assembled, and agreeable to Rule III. for the formation of the Grand Lodge, proceeded to ballot, and on their return, reported the following brethren duly elected as grand officers and members of the committee for the ensuing year:

GRAND MASTER:

His Royal Highness ERNEST AUGUSTUS DUKE of CUMBERLAND, &c. &c. &c.

PRELATE:

The Right Rev. the LORD BISHOP OF SALISBURY

DEPUTY GRAND MASTERS:

Right Hon. the Earl of Enniskillen.
Robert Hedges Eyre, esq.
Colonel William Verner, M. P.
Right Hon. Lord Cole, M. P.
Right Hon. Lord Langford.
Right Hon. Viscount Mandeville.
Right Hon. the Earl of Roden.
Right Hon. the Earl of Rathdowne.
Right Hon. Viscount Castlemaine.
Right Hon. the Lord Farnham.
Most Noble the Marquis of Ely.
Most Noble the Marquis of Thomond.
Right Hon. Viscount Powerscourt.
Hon. Randall B. Plunkett.
Colonel William Blacker.
Right Hon. the Earl of Winchelsea.
Right Hon. the Earl of Bandon.
Right Hon. Viscount Bernard.

GRAND CHAPLAINS:

Rev. John Graham.
Rev. Holt Waring.
Rev. Charles Boyton.
Venerable Archdeacon Magee.
Rev. Francis Baker.
Hon. and Venerable Archdeacon Stopford.
Rev. John C. Martin.
Rev. Marcus Beresford.
Venerable Archdeacon Saurin.
Rev. James Jones.
Hon. and Venerable Archdeacon Trench.
Rev. J. I. Beresford.
Rev. B. W. Dolling.

DEPUTY GRAND CHAPLAINS:

Rev. William B. Fry.
Rev. James Graham.
Rev. Courtney Turner.
Rev. Edward Brett.
Rev. Richard Davis.
Rev. Arthur Preston.
Rev. Rickard Kennedy.
Rev. J. B. M'Crea.
Hon. and Rev. Hen. Browne.
Rev. Henry Westby.
Rev. Hugh E. Prior.
Rev. George Evans.
Rev. Francis Gervais.
Rev. S. Payne.
Rev. St. Geo. Irvine.
Rev. S. Ferguson.
Rev. J. S. Blacker.
Rev. John Prior.
Rev. John Archdall.
Rev. J. G. M'D. Johnston.
Rev. E. Hinson.
Rev. C. Claudius Beresford.
Rev. Mortimer O'Sullivan.
Rev. John S. Monsell.

GRAND SECRETARY:
Henry Maxwell, M. P.

GRAND TREASURER:
Colonel Perceval, M. P.

DEPUTY GRAND SECRETARY:
William Swan.

DEPUTY GRAND TREASURER:
Hugh R. Baker.

ASSISTANT GRAND SECRETARIES:
R. H. Dolling.
Stewart Blacker.

GRAND SOLICITOR AND LAW AGENT:
William R. Ward.

MEMBERS OF COMMITTEE:

Ahmuty, W. S.
Audouin, James L.
Armstrong, John.
Archer, Alderman.
Archer, T. M.
Archer, C. P. jun.
Armstrong, Simon.
Armstrong, William.
Archer, Rev. R.
Archdall, Mervyn, M. P.
Beauman, John, jun.
Burgoyne, Sir John.
Brooke, Sir A. B. bart.
Barton, Folliott.
Brabazon, Henry L.
Bolton, Chichester.
Beeres, William.
Baker, John.
Berkeley, Robert.
Bernard, Honourable H.
Boileau, G. Wilson.
Bruce, Sir James, bart.
Birch, William H.
Beresford, H. B.
Breton, G. W.
Butler, Rev. J. J.
Butt, Isaac.
Birch, W. H.
Chamberlain, Tankerville.
Childers, William W.
Cole, Hon. A. H.; M. P.
Cooper, E. J., M. P.
Carter, William F.
Campbell, William W.
Curtis, Rev. Joseph.
Cosby, W. P.
Charters, Rev. J.
Cole, Hon. John.
Corry, Isaac.
Dancer, Sir A., bart.
Dobbs, Richard.
D'Renzy, John.
Dickson, Joseph.
Dowse, Richard B.
Dean, Robert.
D'Olier, Nicholas O.
Douglas, Thomas.
Doolin, Thomas.
Dixon, Theophilus.
Evans, Robert.
Eccles, J. Ambrose.
Eccles, Hugh.
Echlin, Henry.
Ellis, John.
Fausset, Charles.
Fortescue, Matthew.
Folliott, John.
Finlay, Col. Thomas.
Fitzgerald, Rev. J. C.
Forster, G. M.

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MEMBERS OF COMMITTEE—*continued.*

Freeland, Rev. Wm.
Gray, Samuel.
Graham, John.
Gilmore, James.
Groome, Rev. E.
Glasscott, John, jun.
Gausseon, Campbell.
Gregg, William.
Hassard, Francis.
Hill, Richard.
Hassard, Alexander.
Hamilton, Rev. Hugh.
Hart, James.
Hyndman, John E., High Sheriff.
Hamilton, Thomas C.
Hore, Walter, jun.
Hall, Roger.
Hill, William.
Hone, Addison.
Hore, Rev. Walter.
Hassard, Capt. John.
Handcock, Rev. R.
Hamilton, A. W. Cole.
Hughes, Annesley.
Hopkins, Robert.
Hopkins, Francis.
Hopkins, Thomas.
Hawksworth, R. S.
Irwin, John R.
Irvine, Henry.
Jackson, H. T.
Jones, Samuel.
Jones, Arthur.
Johnston, James.
Jocelyn, Viscount.
Jones, Walter.
Jones, James.
Jacob, Rev. Thomas.
Jones, Robert, jun.
Johnston, Joseph.
Jacob, Rev. J. S.
Kelly, Denis.
Kyle, Henry S.
Kellett, Richard O.
Kidd, W. T.
Lendrum, James.
Lefroy, Anthony, M. P.
Lynar, Sir William W.
Long, John.
Long, William.
Longfield, Colonel John.
Loftie, Henry
Leslie, Henry.
Moore, George.
Montgomery, A. H.
Massey, Sir H. D., bart.
Maxwell, John W., M. P.
Maxwell, Somerset R.
Montgomery, Major.
Montgomery, Alexander.
Montgomery, Robert.
Moore, Robert M.
MacNeale, Malcom.
Moore, James.
Mayne, John.
Manning, Nathaniel.
Maguire, William J.
Morris, Abraham.
Moore, James Stewart.
Macklin, Thomas W.
Montray, Whitney.
Montray, Anketell.
Morris, Shapland C.
Nixon, Alexander.
Nixon, Humphrey S.
Neynoe, Edward L.
Nixon, George A.
Nixon, James.
Nixon, Thomas.
Nugent, Oliver.
Nunn, John Nixon.
Nicholson, Robert.
Ormsby, John.
Owen, John Robert.
O'Harr, Rev. James.
Pratt, Col. J.
Pim, John.
Plunkett, Hon. Chas.
Palliser, Sir Hugh.
Percival, Westby.
Porter, Henry John.
Preston, Sir Geo. William.
Power, Thomas.
Perrin, A., Right Hon., Lord Mayor.
Quinn, William Henry.
Radcliffe, Rev. Stephen.
Ryder, John.
Rich, Sir George.
Reed, Thomas.
Reed, William H., M. D.
Rynd, Robert.
Rye, J. Tonson.
Richards, George.
Reed, Thomas A.
Sankey, Robert Jones.
Sheehan, Remmy H.
Stewart, Mervyn.
St. George, Stepney.
Sweeny, W. E.
Stewart, Sir H. M. P.
Stuart, Hon. A. G.
St. George, Sir R. bart.
Stock, Lucius.
Stewart, Thomas.
Sparrow, Joseph.
Synnot, Marcus.
Schoales, John, jun.
Smith, Robert.
Smith, Edward John.
Stack, Rev. William.
Stratford, Hon. C. H.
Speer, Richard D.
St. George, Acheson.
Swan, Edmond L.
Sandys, Robert.
St. George, Edmond.
St. George, Hercules.
St. George, Robert.
St. George, Howard.
Stothard, John.
Studdart, Francis.
Smyth, W. B.
Smith, Richard.
Stoney, Thomas J.
Seed, William.
Thompson, John.
Tottenham, Charles, jun.
Tipping, Francis.
Thompson, David. P.
Trench, John Eyre.
Vesey, Colonel.
Warren, Alderman.
Wingfield, Hon. Col. E.
Westby, Edward.
Wilson, William, M. D.
Waring, Lucas.
Waring, Thomas.
Wynn, Rev. William.
Ward, J. A.
Wauchob, Samuel.
Young, John, M. P.
Young, Rev. Geo. H.

The Lodge having been opened with prayer, the following Report of the Committee of the Grand Lodge was then read.

REPORT of the COMMITTEE of the GRAND ORANGE LODGE of IRELAND.

Orangemen of Ireland,

My Lords and Brethren,

WHEN we, your committee, had last the honour of presenting our half yearly Report, we congratulated the Orangemen of Ireland on the noble stand that they had made against the encroachments of Popery, and the still more insidious attacks of self-styled *liberal Protestants*. We have now the high gratification of announcing, that the beneficial effects of our steadiness and consistency, are every day more and more apparent in the number of valuable public and private characters, clerical as well as lay, flocking to our standard, and the vast advantages consequent thereon, as tending to the increase of our numbers, and to the promoting that high tone of religious and moral feeling, so requisite to insure us not only self respect, and the confidence of so large a community as we now embrace, but above all, the blessing of that all ruling Providence, without whose aid our best exertions are in vain.

In proof of these assertions, we beg to call your attention to the accession to our ranks of those distinguished noblemen and gentlemen, the Earls of Winchelsea and Bandon, Lord Bernard, the Hon. H. Bernard, Mr. Bourke, of Hayes, and many others, who, on the 28th of August last joined our institution, and were initiated at a lodge held specially for the purpose,

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purpose, at which were present, notwithstanding the shortness of the notice given, a more than usual assemblage of our grand officers, members of committee, and visitors from private lodges; the sentiments expressed by those noblemen and gentlemen, in returning thanks, were heart-warming and exhilerating in the extreme, replete as they were with the assurance that in the hour of danger we might rely with confidence on our brethren of Great Britain, who are watching with the most intense solicitude our exertions in the common cause of Protestantism and truth.

Another proof consists in the formation of grand lodges in the following counties:—Dublin, which, as being the metropolitan county, it will animate every true Protestant to learn, has at last come forward, and from the number of private lodges already formed, and others in progress of formation, it is confidently hoped that it will soon assume that rank in our institution, which its important local position has so long and so loudly called upon it to fill.—Waterford, which has made giant strides, and promises fairly to compete with our oldest and best officered counties for regularity of organization and zeal for the cause; and last, though not least in our esteem, Louth, which, midst the various difficulties it has had to encounter, has, through the influence, and under the guidance of a name endeared to every Orangeman, the Earl of Roden, arisen with an ardour and steadiness of principle, which guarantees its permanence and stability.

A third proof, if further is necessary, of our well-doing, rests in the junction with our body of various ministers of the Gospel, and right proud do we feel, when any such character comes forward to pay the highest encomium on our principles and conduct as a society of christians, banded against the corrupters and destroyers of the Word of God, by uniting with us in the brotherhood of Orangeism, feeling confident that thus the strongest and most direct contradiction is given to the petty prejudice raised against our name and principles, by the insidious malignity of a bigotted faction, who have ever been not only *our* inveterate foes, but also the unremitting opponents of true religion and constitutional liberty; that if we are arrayed beneath the name of an earthly prince, it is beneath the name of him of glorious memory, who, in animating our ancestors to the noblest conflict a free-born people could be engaged in, said on the banks of the Boyne,

> "For God shall be your King this day,
> And I'll be general under,"—

and that if our watch word "*No Surrender,*" express our principles, it means not merely our determination to withstand to the death, any infraction of temporal privileges, but also that we will transmit to our posterity, pure and unimpaired as we received it, the dearly purchased gift of *the Bible, the whole Bible, and nothing but the Bible.*

The duty now devolves on us, of laying before you the business which has been transacted since our last meeting, and also of calling your attention to the various suggestions and complaints which have come under our notice.

In accordance with the order of the grand lodge, deputations from your committee, with full instructions, proceeded to the counties of Armagh and Monaghan, and we are happy to find by their several reports, that those important and highly influential counties have been, in a great measure, restored to that state of organization so conducive to the regularity and well-being of our institution.

Sundry complaints having been received from the county Donegal, we have deemed it necessary also to send a deputation to that county, which has not as yet returned, but we anticipate that all matters will soon be arranged to the satisfaction of the parties concerned.

While on this subject, we beg to call your attention towards similar measures being taken with the county Fermanagh, from which we lament to say complaints have also been forwarded to us, and to which we refer.

We have to congratulate the society at large on the increase of our members in the county Meath, which, from not having a single Orangeman, through the zeal, energy and tact displayed by its grand officers, has now three highly efficient districts, composed of some hundreds of members, whose characters and conduct render them worthy guardians of the classic Boyne.

We have to recommend to your most serious consideration, the neglect shewn by several of those counties from whose general spirit in the cause of Orangeism a different conduct might have been expected in forwarding those *Dues*, so essential to the carrying on the affairs of the institution, and also the suggestions thrown out by the deputation reports and various masters of lodges, of having some measures taken with respect to the more regular forwarding of the same. And that it be in future necessary for district masters to be able to produce a receipt for the past year's dues to qualify the representative of that district to act in their county grand lodge. In the election of county treasurers, we cannot too strongly urge upon the grand lodges of counties, to be careful in selecting a brother properly alive to the important duties of the office, and one so situated in point of residence in the county, as to afford the district masters every facility of communication. Regulations such as the above, it is earnestly hoped will have the effect of removing from those counties alluded to, the stain of neglect in a matter so vitally important. The institution has now arrived at a pitch of regularity and system in its financial concerns, in which for a number of years past it has been lamentably deficient, and it is expected that every brother who has the welfare of the order sincerely at heart will see the necessity of those funds being duly supplied, without which no business can be effectually carried on.

Certain cases of oppression and maltreatment which occurred at Bailieborough, county of Cavan, having been laid before us by brethren on whose authority we could rely, we directed

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our grand solicitor to attend on the part of our persecuted brethren at the various investigations which took place at Bailieborough, and he having supplied us with the various reports and documents connected with the proceedings, we have forwarded memorials to the Government, and taken the opinion of two eminent King's counsel, and have referred the whole matter to a select committee, under whose directions we have empowered our grand solicitor to act. We cannot however allow this opportunity to pass without bearing testimony to the zeal, anxiety and disinterestedness displayed by that officer, who regardless of personal inconvenience or professional remuneration, undertook three several journies, and put us in full possession of the particulars of the transaction.

We have to call your attention to the plan in contemplation among our brethren for procuring a permanent establishment in the metropolis for the grand lodge, as also how feasible it would be to have rooms connected therewith, to save our private lodges the slur sometimes cast on them for holding, through necessity, their meetings in public-houses.

We refer to your consideration the propriety of disavowing, by a resolution to that effect, any connexion with lodges calling themselves *Black Lodges*, or any other name not provided for in our rules, and repudiate the practice of granting degrees, such as *Royal-Arch-Purple*, or *Purple-Marks-Man*, or whatever the titles may be which are not in accordance with the regulations and principles of the Orange institution.

In pursuance of a resolution of the last grand lodge, we are happy in being able to state, that upwards of 30 duplicate warrants which through inadvertence or mismanagement had crept into our registry, have through the kind co-operation of various well constituted lodges, especially those of the county Armagh been cleared away, and we hope in time that the remainder may through the prevalence of the same good feeling be regulated so as to prevent any further confusion.

Complaints being constantly made to us of the differences existing with respect to the present secret system, we would beg leave to suggest having the matter clearly decided, and a monthly lecture appointed in the metropolis for its more easy acquirement and retention.

And lastly, we would beg to call the attention of the grand lodge, and through them return our heartfelt thanks and congratulations to our brethren through the various parts of Ireland, who in the late meetings of 3,000 in Dublin, 5,000 at Bandon, 30,000 in Cavan, and 75,000 at Hillsborough, by their strength of numbers, the rank, respectability, and orderly conduct of their attendance, the manly and eloquent expressions of every christian and loyal sentiment, vindicated so nobly the character of our institution against the aspersion thrown on it as "the paltry remnant of an expiring faction." And we ardently hope that our brethren in the other parts of the kingdom, who have not as yet come forward, will do so, and not forgot the hint given to us in our Sovereign's last most gracious declaration to "speak out."

In conclusion brethren, we cannot too strongly impress on you to be on the alert. It is impossible not to foresee that the present state of things cannot much longer exist, and we may soon, very soon, be called on to exert our best energies either in a political or real contest for our hearths and altars. It is needless for us to point out to you the necessity of standing firmly together and acting in concert, and not to allow any private pique among ourselves or ancient prejudices against certain influential characters for infraction of promises, or dereliction from public duty, which may have arisen from mistaken views (and appear to be sincerely repented of) to stand in the path of public duty, and thus by the slightest appearance of division among ourselves, again permit the intrusion into power and ascendancy of persons who would prostrate the Protestant institutions of this country beneath the feet of hireling demagogues and popish priests.

Signed by Order,

William Swan, deputy grand secretary.

RESOLUTIONS.

1.—Resolved, That the thanks of this grand lodge are due, and hereby given to the brethren composing the deputations to the counties of Armagh and Monaghan, for the very efficient manner in which they discharged the important duties entrusted to them.

2.—Resolved, That the case of the county Donegal stand over until the return of the deputation sent to that county, and then be referred to the consideration of our grand committee.

3.—Resolved, That a deputation be sent to the county Fermanagh, for the better organizing that highly Protestant county, and for clearing up the reasons why communications have not been more regularly received and transmitted between the various districts and the grand lodge.

4.—Resolved, That our best thanks are eminently due, and hereby given to our zealous and energetic brethren composing the grand lodges of the counties of Dublin, Waterford, Louth and Meath, who by their unceasing exertions have so materially caused the increase of Orangeism in their respective vicinities.

5.—Resolved, That district masters on handing in the dues of their respective districts to the county treasurer, are to receive from that officer two receipts for the same, one of these receipts the district master is to forward, with as little delay as possible, to the deputy grand secretary in Dublin, the other he is to retain for the following purpose. No district master, or other member thereof, shall in future be permitted to vote at their county grand lodge who shall not produce the second receipt as a voucher for the dues of his district having been cleared off. No master of a lodge shall in future be permitted to vote at the meeting of the district to which said lodge is attached, unless the dues of his lodge be cleared off.

6.—Resolved,

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6.—Resolved, That the thanks of this grand lodge are due, and hereby given, to our worthy and esteemed grand solicitor brother Wm. Ribton Ward, for his zealous and disinterested exertions in our cause at all times, but more especially at the late investigation in the county Cavan.

7.—Resolved, That considering the plan proposed for procuring a permanent establishment in the metropolis, for the reception and accommodation of the grand lodge and the members of the institution, would be in the highest degree beneficial to our society, we recommend the same to our brethren at large, and hereby authorize our grand committee to appoint trustees, committee of management, secretary, treasurer, collectors, &c. with such regulations as may be deemed requisite for the forwarding the same, provided, however, that two members of each subscribing lodge, not being members of the grand committee, be appointed members of said committee of management and collection. That no house be decided on without the concurrence of a majority of the subscribers, due notice of a special meeting for that purpose having been given, at least a fortnight previous; and that a list of subscriptions be forthwith opened for signature at our committee-rooms.

8.—Resolved, That we have heard with the deepest regret, that there exists in various parts of Ireland, lodges professing to be in connexion with the Orange institution, numbering among their members brethren of this institution, adopting other orders and degrees than the *Orange* and *Purple*, the two original and only recognized orders by us; that we cannot too strongly express our conviction that all such unlicensed orders are highly detrimental to our best interests and injurious to the character of our institution, and we hereby request our brethren to abstain from all connexion with *Black Lodges*, or lodges granting degrees of *Royal-Arch-Purple* or *Purple-Marks-Men*, or any other unrecognized names or systems different from those established by our fundamental rules, and we request of all grand officers of counties, wherein such lodges exist, to use their utmost influence for their suppression or proper conformity to the said rules and regulations.

9.—Resolved, That the thanks of this grand lodge are due, and hereby given, to the masters and members of the several lodges who so willingly came forward to co-operate with us in the correction of our registry, by surrendering the duplicate warrants under which they were sitting and receiving new numbers in their stead.

10.—Resolved, That on the first Wednesday of every month, at the hour of two o'clock in the afternoon, three brethren, members of committee appointed specially for that purpose, do deliver the Orange and Purple lectures to such brethren as are qualified to receive the same at our committee-rooms in Dublin.

11.—Resolved, That our best thanks are eminently due, and hereby given, to our brethren in Dublin, Cavan, Bandon and Down, for the spirited manner in which they supported the Protestant cause at the late meetings in their respective counties.

12.—Resolved, That in future no renewal of a warrant be granted until the one the lodge is acting under be either sent up to the committee, or the county secretary certifies that he has written *cancelled*, in large letters across the face of the same, with the date and reason thereof.

13.—Resolved, That in future the secretary of each lodge do make a return, as soon as possible after the regular meeting in February, to the district secretary, of the names and residence of the several officers in his lodge, together with its place of meeting and post-town and number of its members. That the secretary of each district do make a return, as soon as possible after the regular meeting in March, to the county grand secretary, of the names and residences of the several officers in his district lodge, together with the name and residence of each of the masters and secretaries of the private lodges, their places of meeting and post-towns, with the number of members in each; and wherever the county grand lodge is not formed of the district officers, the secretary of each lodge shall make a return to the county secretary, similar to the one to be made to the secretary of the district. The grand secretary of each county shall make a return, as soon as possible after the meeting in April, to the deputy grand secretary of Ireland, of the names and residences of the several district masters in his county, together with the names and residences of the masters and secretaries of the several private lodges, places of meeting and post-town, as also the number of members in each lodge.

14.—Resolved, That all clergymen, duly appointed chaplains of private lodges, be hereafter considered members of the district to which those lodges are respectively attached.

15.—Resolved, That the marked thanks of this grand lodge are due, and hereby given, to our brother Wm. Ponsonby, grand master of Tipperary, for his firm, honourable and straightforward conduct on a late trying occasion.

16.—Resolved, That John Roberts, member of lodge 821, Queen's County, be expelled our institution for conduct unbecoming the character of an Orangeman.

17.—Resolved, That the expulsion of Richard Cole, formerly member of lodge 1002, county Cork, be rescinded; and that the said lodge be permitted to ballot for his re-initiation, when passed by the district lodge of Bandon, a satisfactory explanation of his conduct having been given by the grand secretary of that county.

18.—Resolved, That the best thanks of this grand lodge are due, and hereby given, to the acting grand officers of our institution in Dublin, for their very efficient conduct and attention to our interests during the past half-year.

19.—Resolved, That the thanks of this grand lodge are due, and hereby given, to our brothers the Hon. Randal E. Plunkett and Lord Langford, for their very dignified and proper conduct in the chair.

William Verner, Chairman.

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Colonel VERNER, M.P. Deputy Grand Master, having vacated the Chair, and the Earl of RODEN taken the same.

20. Resolved, That our warmest thanks are eminently due and hereby given to our long tried, steady, and ever consistent brother William Verner, for the very constant zeal, energy and attention evinced by him on all occasions for the promotion of our glorious cause, and for his presence during the sitting of this grand lodge, his dignified conduct in the chair, and unremitting attention to our best interest. *Roden*, Chairman.

Prayers having been read by the Rev. John Graham, senior grand chaplain, the lodge was declared duly closed. *William Swan*, Deputy-Grand Secretary.

The ORANGE INSTITUTION in account with *H. R. Baker*, Deputy Grand Treasurer.

Dr.	£.	s.	d.
1834:			
To tylers, messengers and porter	7	14	6
To half-year's rent of committee rooms, to 11th Dec. 1834, and Grand Lodge Rooms four days	11	–	–
To printing 2,500 reports of meeting of the Grand Orange Lodge, in May 1834	9	6	–
To printing 1,500 copies of rule books	11	13	–
To ditto 1,500 ditto of Addenda to ditto	2	4	–
To ditto rituals and circulars	7	4	6
To medal presented to brother Wm. Ribton Ward, grand solicitor to the institution, "as a token of respect and esteem for his integrity and his long and efficient services"	12	–	–
To seal for grand lodge	2	–	–
To postage and carriage of parcels	6	3	2
To sundry coals, stationery, &c.	5	17	1
To brother W. Ribton Ward, three journies to Bailieboro', expenses out of pocket, he having declined any remuneration for personal trouble	11	7	11
To preparing cases and statements for counsel relative to the persecution of our brethren at Bailieboro' on the 12th July last, and proceedings thereon	23	10	–
Nov. 11.			
To balance in deputy grand treasurer's hands	181	11	3
£.	292	7	6

Cr.	£.	s.	d.
1834: May 2.			
By Balance in deputy grand treasurer's hands, as per audited account	55	–	9
By warrants, 570, 1131, 1576, Cork – 3 3 –			
883, 879, marching warrants, Cork – 10 –			
960 Waterford – 1 1 –			
873, 905, 1206, Armagh – 3 3 –			
1509, County Dublin 1 1 –	8	18	–
By renewal warrants,			
396, Antrim – 5 –			
559, Meath – 5 –			
884, Waterford – 5 –			
419, Westmeath – 5 –			
433, 1495, 1688, 1592, 871, Derry City 1 5 –	2	5	–
By dues, 781, Queen's County	–	5	–
1003, 1004, 1245, 1160, Wexford, 2s. 6d. each – 10 –			
709, 840, 1090, Wexford, 1l. each 3 – –			
842, 10s.; 843, 5s. – do. – 15 –	4	5	–
Six lodges, City of Londonderry	–	15	–
By dues, County of Antrim, viz.			
District of Drumra 1 5 –			
Braide 1 5 –			
Ballymoney 1 10 –			
Ahoghill 1 7 6			
Cloughmills 2 7 6			
Lodge 1122 5 –			
District of Portglenone 1 – –			
Derryaghy 1 7 6			
Glenavy 10 –			
Six-mile-water 3 17 –			
Larne 2 10 –			
Lisburn 1 12 6			
Belfast 2 5 –			
Low. Dunluce 1 – –			
Mid. Dunluce 2 5 –			
Ballymena 1 10 –			
Registry Books 1 7 –			
27 4 –			
Less Postage of County Treasurer and Secretary 1 6	25	18	–
By dues, County Cavan:			
District of Cavan 1 2 6			
Arvagh 17 6			
Lodge, 1371 2 6	2	2	6
City of Dublin	2	–	–
Trinity College District	3	–	–
Lodge 878	–	2	6
702, Meath	–	10	–
District of Newtown Hamilton, Armagh	1	5	–
Lodge 334, District of Lifford, Donegal	–	5	–
County of Down, District of Saintfield 2 15 –			
Newry 1 – –			
Mourne 1 5 –	5	–	–
By registry and rule books	2	7	9
By subscription of members of Grand Orange Lodge	178	13	–
£.	292	7	6

Dues were received after the deputy grand treasurer's account were audited (which will appear regularly in the next Report):

From Lodge 465, Sligo 1 – –
1266, Mayo – 2 6
Clones District, Monaghan 1 5 –
Lodges 396, 1550, each 10s.;
1317, 5s. County Leitrim 1 5 –
County Wicklow 2 10 –
Lodges 175, 485, 740, 762,
County Louth 2 – –
Macosquin District, County
Derry 1 – –

Appendix (A. 2.)

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Grand Orange Lodges of Ireland.

PROCEEDINGS of the LOYAL ORANGE INSTITUTION of *Great Britain*.

LOYAL ORANGE INSTITUTION OF GREAT BRITAIN.

AT a meeting of the Very Right Worshipful the GRAND LODGE; assembled at No. 9, Portman-square, on Thursday, the 19th day of April 1832.

PRESENT:

Field-Marshal His Royal Highness Prince Ernest Duke of Cumberland, K. G. &c. &c. &c.
Grand Master of the Empire.

The Very Right Worshipful and Right Honourable Lord Kenyon, F. S. A. &c. &c.
Deputy Grand Master of England and Wales.

The Very Right Worshipful and most Noble the Duke of Gordon,
Deputy Grand Master of Scotland.

The Rev. Jonathan Wilkinson, A. M. Deputy Grand Chaplain.

The Right Worshipful Lieut.-Col. Fairman, Deputy Grand Master for London, and M.G.C. &c.

Augustus Knipe, esq. of Wimbledon, Member of the Grand Committee.
John Eedes, esq. of London, Member of the Grand Committee.
George Losack, esq. of London, Member of the Grand Committee.
Captain Morris, of Lambeth, Member of the Grand Committee.
Joseph Holmes, esq. of Sheffield, Member of the Grand Committee.
Robert H. Dolling, esq. Member of the Grand Committee, Ireland.

The Right Worshipful William French, D. G. M. of Birmingham.
John Sugden, D. G. M. of Rochdale.

The Worshipful John Rainer, Master of Warrant 59.
John Champion, Master of Warrant 209.
John Cundell, Master of Warrant 223.
John Earl, Master of Warrant 234.
Charles Catchpole, Secretary to Warrant 234.

George Payne, Witness 209. Thomas Coleman, Witness, 209. David Sayers, Witness 223.

Brother John Sugden, Acting Grand Mace Bearer.
Brothers John Condell and William Osborne, Acting Grand Tylers.

Prayers being read by the Rev. Jonathan Wilkinson, A.M. Deputy Grand Chaplain.
The lodge was opened by the Duke of Cumberland, the Grand Master of the Empire.

APOLOGIES.

His Royal Highness informed the grand lodge, that his Grace the Duke of Newcastle was, on the present occasion, absent through indisposition.

The most Noble the Marquis of Chandos, through previous unavoidable engagements, was unable to attend the meeting.

The Marquis of Thomond, by letter, expressed his inability to be present, having been confined by illness for several days.

The Rev. Robert Spranger, of Toynton, expressed his extreme regret, by letter, that his clerical duties would not allow him to attend so close upon Easter. The reverend gentleman went on to make an emphatic remark, "that every day's passing occurrence strengthened his opinion of the urgent necessity of an immediate and firm union of all Protestants, as well in England as in Ireland;" with a patriotic and praiseworthy assurance, "that no exertion shall be wanting on his part, nor should any advance of money be esteemed by him too great a sacrifice, in such a vital cause." Much ignorance prevailed in the country, he hinted, as to the nature of the Orange Institution: he was satisfied this was the case, at least, in his own neighbourhood.

Apologies were also received from other distinguished characters, and various provincial members at present unable to attend.

A letter which had been laid before the grand committee, from the Rev. Jonathan Wilkinson, A. M. one of the deputy grand chaplains, was next read, as follows:—

Boyd's Hill, Aldenham, Herts,
Friday, April 13th, 1832.

Dear Sir and Brother,

Circumstances have prevented for a considerable time my attendance at the meetings of the Orange Institution. I should, however, much like to renew my acquaintance with a society to whose principles I am devotedly attached. I should have been with you at the meeting at Lord Kenyon's in February, but an almost unprecedented succession of calamities, almost too much for human nature to endure, so subdued my spirit that I was incapacitated from attending to any business, particularly of a public kind. It pleased God in the short space of about six weeks to deprive me of my wife, mother, mother-in-law and one of my children. My mind is now more composed, and (if nothing at present unforseen forbid) I intend doing myself the pleasure of meeting the grand lodge on Thursday next. My

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duties here will not allow me to be absent two days so near together, and therefore you will oblige me by making an apology for my absence on Tuesday.

I remain, dear Sir and Brother, faithfully yours,

To Col. Fairman. *Jonathan Wilkinson.*

This letter was read, not only for the purpose of evincing the deep sympathy of the grand lodge, but also as offering the opportunity of duly appreciating the sentiments of our reverend and much respected brother, who, on the first return of the mind to its wonted tone of feeling, after such severe and almost unparalleled domestic bereavements, was anxious to testify his unabated adherence to the conservative and christian principles of the Orange Institution, adding the gratifying proof thereof by his attendance in grand lodge this day, whose letter therefore was ordered to be inserted on the minutes of its proceedings.

The much-lamented death of Colonel Fletcher, the late highly respected grand treasurer of the institution, was known in time only to make a bare announcement of the fact in the last circular. The letter conveying the melancholy intelligence is now inserted, in full accordance with the admirable sentiments expressed, and as furnishing only a just tribute to the revered memory of so excellent an officer of the institution.

Sir, Hollins, March 6th, 1832.

I have to perform the melancholy task of announcing to the Orange Institution the loss of one of its best members, in the death of my father, Colonel Fletcher. He expired on the 22d of February last, breathing almost his latest prayer for the happiness of that beloved country, in whose service he had been zealously and unceasingly engaged throughout the course of a long and well-spent life.

I am, Sir, your obedient servant,

To Lieut.-Col. Fairman. *John Fletcher.*

THE REPORT OF THE GRAND COMMITTEE,

Who had been engaged, during the two preceding days, in examining the accounts, in reading a mass of correspondence and attending to various applications relative to the affairs of the institution, was next presented, the purport of which may be collected from the proceedings and resolutions of the grand lodge constituted thereupon.

1. The letter from Ayr, alluded to in the last circular, having been read, referring to a late melancholy event, and complaining of the persecutions to which the brotherhood had been exposed by the magistrates of the county; with the substance of the answer since sent to the deputy grand master of the district, communicating to him, not alone the liberal contributions of the illustrious grand master of the empire, with those of the noble deputy grand master of England and of Scotland, amounting in the whole to 65 *l.* for the succour of the brother in misfortune: but also apprising that officer of the energetic exertions which were strenuously made, with the constituted and judicial authorities, on behalf of the ill-fated individual, who was neither deserted in his distress, nor unfeelingly abandoned to his doom; the grand lodge upon this, and other points, passed the following

Resolutions and Orders.

Resolved, That the brethren of Ayr be informed this grand lodge much regret the unfortunate state to which the members of the Orange Institution are reduced, in consequence of their attachment to its cause. The grand lodge therefore wish to suggest the expediency of the brethren assembling at the private house of some brother, as the local authorities seem to object so decidedly to their being admitted to public houses. The grand lodge consider it imperative to recommend the greatest possible circumspection as to their peaceable and orderly conduct, that no such calamitous occurrences, as the last lamentable one, may be liable to take place again; and that the Orange Institution may speedily regain that favourable opinion, to which it is justly entitled on account of its true Protestant principles.

2. It having been represented to the grand committee, that the members of a warrant in the country had, for the dispatch of business, been occasionally known to assemble on the Sabbath; a disapprobation of their so doing was signified by the grand lodge, in terms no less unequivocal than indignant, by whom it was unanimously resolved, "That the grand lodge having heard that, in some instances, meetings have been held on Sundays, they feel it their duty to express their decided objection to any meetings of the Orange Institution being held on that sacred day, and consider any such holding of meetings to be in direct repugnance to the principles of the Orange Institution."

3. Brother Cronshaw's complaints having been answered by a subsequent letter from the neighbouring warrant at Manchester, the grand lodge recommended an amicable adjustment of the existing differences between the members of the warrants, 255 and 256, by adopting towards each other those brotherly feelings that are inculcated by the ordinances of the society, to which they are referred for the regulation of their future conduct, as well on this as upon other ordinary occasions.

4. Regarding a remuneration to Lodge No. 3, for the loss of a flag, the funds of the society, through causes that will be obvious on the face of this circular, are too low at present (the merits of the case totally out of the question) to enable the grand lodge to entertain the application. For the purpose of upholding that regularity, without a due observance of which no society can flourish, the grand lodge desire it may be understood most distinctly, that all applications, of whatever nature, must hereafter be transmitted through the deputy grand master of the district.

5. Having

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5. Having read a letter from D. G. M. Haywood, of Sheffield, dated the 11th of February with a string of resolutions, on the subject of individuals entering the institution through sordid or unworthy motives; which were strengthened by some remarks from Brother Holmes, who intimated that the evil would be effectually removed, by collecting from every new member, at the time of his admission, the payment of one year's dues: the grand lodge admitting the judiciousness of such an arrangement, and acquiescing in the adoption of the remedy proposed,—Resolved, That the suggestions from the lodge at Sheffield be adopted, and that in the recommendation given by any lodge in behalf of a brother, there be inserted the length of time during which such brother has attended such lodge, the date of the recommendation itself, and the amount of assistance given.

6. Brother William Taylor, of Chatham, being the sole holder of warrant 253, and finding no proper person in his neighbourhood to join him therein, resigned the same into the hands of the acting deputy grand secretary, from whom he received the usual allowance for it.

7. It was ordered that the warrant applied for on the behalf of Brother Samuel Newell, of Birmingham, the money for which had long since been paid to Mr. Chetwode, be granted, which has accordingly been done: as likewise that the certificates required by Brothers Holmes, Heap and others, should be furnished with all possible expedition.

NEW SYSTEM.

8. Existing circumstances of a temporary nature, will render it necessary to postpone the intended changes of the signs and pass-words of the institution for a short period, of which due notice shall be given.

BRITISH NORTH AMERICA.

9. With a view to extend the advantages of our excellent institution, in Upper and Lower Canada—for the purpose too of disseminating its principles far and wide—on the recommendation of the grand committee, whose members had examined documents and testimonials of his eligibility: the grand lodge have appointed Ogle Robert Gowan, esq. to be the deputy grand master of all the provinces in British North America, with the dependencies, colonies and settlements, belonging, appertaining or adjacent thereto. Under the auspices of this officer; who is desirous of being recognized by the grand lodge of the empire, and of being under the cognizance and command of its royal and most illustrious grand master, and who is certified to be not only a sound Protestant, and most zealous Orangeman, but worthy in every way of filling the exalted and responsible situation at which he aspires, and with no less honour to himself than satisfaction to the brotherhood, has provisionally exercised: the society is reported to have increased in the number and the consideration of its members, with a rapidity to be scarcely credited. The merits of this gentleman, and the great benefits likely to be derived from his being thus promptly installed in the dignified and important post of which he no less loyally than dutifully has sought a confirmation, are duly appreciated by the grand lodge, who accompany this notification of his appointment to so high and extensive an office with their cordial thanks to him for his activity and spirit in the discharge of his functions, and with their sincerest wishes for the success and the welfare of the institution, under his able guidance and management, in such a remote, populous and extensive portion of His Majesty's dominions.

Communications made on this subject to Brother Boyton, who attended as a deputation at the grand lodge of England, on the 4th June 1832, but from whom no written report has been as yet received.—*J. H. J.* 23d June 1832.

EXTRACT from Proceedings of the Grand Committee, May 30th, 1832.

Moved by H. Murphy, and seconded by J. C. Lowry.

Resolved, That the communication made by the deputy grand secretary (a copy of which correspondence was this day read) to Lord Roden, the Rev. Charles Boyton and Colonel Fairman, D. G. S. of the grand lodge of England, respecting the appointment of Ogle R. Gowan, as grand master of America, be confirmed.

PRESENT:

James Lowry, Chairman.

William Swan.	C. C. Beresford.
J. H. Jeboult.	James C. Lowry.
Henry Murphy.	George Cheery.
Philip Drought.	

Dear Sir and Brother,

A parcel has been this day forwarded to the lodge room for you, (your address not being known) containing four documents, viz. 1st. The November report of the grand lodge for 1830; 2d. Trial, Hopkins *v.* Gowan; 3d. Mr. E. Chetwode's letter on the subject of Gowan; and 4th. The grand lodge report of England of 19th April 1832; and I am directed to state that they are sent to you in consequence of an appointment in the English report, which, in the first place, that grand lodge has not the power to make, and, secondly, and if it had the power, I beg to submit whether it would be consistent with the dignity of the institution to do so, under the circumstances detailed in the copy of the trial herewith sent. I need however only draw your attention to that part of the said English report under the head of British North America, and you will see the encroachment, or rather usurpation, of our rights, and how correct the information must be, on which they have acted, as you are fully acquainted

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with the merits of the individual. I am further directed to request you will attend the grand lodge of Great Britain on the 4th June next ensuing, as a deputation from the Grand Orange Lodge of Ireland to advocate our rights, and lay before them the annexed documents for their information; for this purpose I enclose the document No. 2. I enclose No. 3 to show that the said Gowan's character ought to be well known in the grand lodge of Great Britain, as that letter was duly answered, with full particulars, and a copy of our report of the November meeting in 1830, sent to said grand lodge of England. The document, No. 4, in the said report of ours, in which you will see mention of said Gowan. The resolution of giving up to England, Wales and Scotland, specifically retaining under our own authority all other parts of Great Britain and her Colonies. With these documents and your own knowledge of all the circumstances, I feel satisfied that you will be fully able to meet the expectations of your brethren, and give them such a report on your return as will show that the grand lodge of Ireland are not only able but are determined at all risks and at all times to vindicate and support her rights, her honour and her independence.

I am, &c.

My Lord,

Not knowing the Rev. Charles Boyton's address, I have taken the liberty of putting under cover to your Lordship a small parcel of importance from the grand lodge of Ireland for him, and shall feel particularly obliged if your Lordship will cause the same to be conveyed to him as speedily as conveniently it may be done.

I have, &c.

Sir and Brother,

I am directed to acquaint you, that two reports of the proceedings of the grand lodge of Great Britain, held at the Lord Kenyon's, on the 19th April 1832, though not sent officially, has reached this grand lodge, and to call your attention to that part of the report, under the head of British North America, and the appointments therein made. The grand lodge of Ireland, finding it incumbent on them to appoint the Rev. Charles Boyton, grand chaplain, (now in London) as a deputation to attend on the 4th of June next ensuing the meeting of your grand lodge, as announced to be held on that day for the purpose of communicating with your grand lodge on that part of your said report, they therefore request that that part of said report above alluded to, may not be communicated to British North America, until after said meeting of the 4th of June.

All sent by post 26th May 1832, *J. H. J.*

Documents from William's, 26th May 1832, Sent to 10, Charles-street, St. James.

Petition for Employment.

(*Extract from the Report of the Grand Committee.*)

10. A petition having been presented by some of the brethren of the London district, soliciting the recommendation and patronage of the dignitaries of the institution, towards procuring them places in the docks and other public establishments, which they appear to think are improperly bestowed on the enemies of the constitution, in many instances to the exclusion of its friends—your committee with every wish to render them, in such a season of distress, all the service in their power, have ventured to introduce such petition to the notice of the grand lodge, assured as they are, that all reasonable requests will ever meet with the due attention of its members. Your committee feel it nevertheless to be incumbent on them to observe, that persons entering this institution are expected to do so from a pure admiration of its principles, and not for the advancement of their own interests, as it is apprehended has too frequently been the case, thus converting the society into a sort of benefit club, claiming almost as right and as a primary object, that, which at any rate, ought to be most respectfully sought as a favour, and only looked up to as a secondary, or even as a minor consideration. For this remark there is the more necessity, as some few individuals have given, by their conduct, but too much reason to suspect that such were their motives in joining the institution.

Grand Committee-men.

11. The grand committee recommend the following noblemen, gentlemen and brothers to be added to the list of their present members, which nomination was most cordially assented to by the grand lodge.

Viscount Cole, M.P. deputy grand master in Ireland.
Sir Edmund Hayes, bart. M.P. deputy grand master, county of Donegal.
Colonel Verner, deputy grand master for Armagh.
Archdeacon Magee, grand chaplain grand lodge of Ireland.
Henry Maxwell, esq. M.P. grand secretary for Ireland.
Colonel Rochfort, M.P. member of grand committee.
John Young, esq. M.P. member of grand committee, Ireland.
John Judkin Butler, esq. assistant grand secretary, county of Monaghan.
The Marquis of Thomond, K.P.
Honourable Colonel Wingfield Stratford.
Honourable Colonel Wingfield.
Honourable Colonel Perceval, M.P.

Grand Treasurer.

12. On the motion of Lord Kenyon, it was resolved, that at the next meeting of the grand lodge, a grand treasurer be appointed in the room of our much lamented brother, Colonel Fletcher, lately deceased.

Deputy

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DEPUTY GRAND SECRETARY.

The grand committee reported, that letters had been received from the following places and persons:

Birmingham, D.G.M. French, 6th, 7th and 9th April.
Blackburn, D. G. M. Robinson, 11th Feb.
Bury, D. G. M. Barlow, 11th February.
Cambridge, M. G. C. Mason, 8th April.
Carlisle, D. G. M. Salisbury, 11th Feb.
Dover, Brother Hayes, 15th April.
Glasgow, D. G. M. Adamson, 13th Feb.
Hadfield, D. G. M. Thornely, 10th Feb.
Jersey, D. G. M. M'Kee, 9th April.
Kidderminster, D. G. M. Wilkes, 14th Feb.
London, M. G. C. Simmons, 18th April.
Manchester, D. G. M. Cronshaw, 14th Feb.
Newcastle, D. G. M. Miller, 15th March.
Norwich, Brother Hitchcock, 17th April.
Portsmouth, Brother Spratt, 16th April.
Sowerby, D. G. M. Heap, 14th April.
Stewart Town, D. G. M. Thompson, 11th April.
Stranraer, D. G. M. Douglas, 5th March.

13. These letters contained complaints either of monies remitted but not acknowledged, or, in many instances, altogether denied and not credited; or of irregularity in the accounts, and an habitual inattention to the affairs of the society, or of an utter disregard to its best interests and a general neglect of its provincial members. It was deemed proper, therefore, to refer them, without farther comment to the grand lodge, as connected with the investigation determined upon, and certified in their last circular, dated 16th February 1832. The committee having been informed and assured that the deputy grand secretary would be present at the meeting of the grand lodge to defend himself against any charges which might be exhibited, felt themselves bound in candour to exercise this reserve, until that opportunity of personal defence should have been afforded. The late D. G. S. was however disappointed in his expectations of being able to attend the grand lodge personally. Yet as it appeared that he was not aware of being thus circumstanced till the evening preceding, the grand lodge acting on the christian principles of the institution, as expressed in the resolution of the 16th February, still considered that it would be but fair and just to defer the investigation of all pecuniary charges in the unavoidable absence of the party concerned, until the meeting of the grand lodge in June next, the more so as that was the period to which the annual accounts are generally made up, when it was possible the late D. G. S. might produce a satisfactory statement on this head. Nevertheless, since it appeared but too evident from the mass of correspondence which had been examined, as likewise from the expressions of several brethren now present, that the instances of negligence and inattention had been such as to create much dissatisfaction in the various lodges both in town and country, insomuch that the institution was suffering great detriment by the want of confidence on the part of its members; the grand lodge considered it necessary to proceed according to the third resolution of the last circular. It was therefore moved, seconded and unanimously resolved,

First,—That considering the extent of dissatisfaction which has for a long time existed with respect to the conduct of Mr. C. E. Chetwode, as deputy grand secretary, &c. to this institution, the grand lodge feel it necessary for the interests of this society that a successor be appointed to his office.

Second,—That Mr. C. E. Chetwode having been unexpectedly prevented from attending this day, which till last night he hoped to have done, the further inquiries as to his conduct be postponed till he can attend in person or by his representative.

Third,—That due regard to the interests of the institution rendering it indispensable that the official vacancy occasioned by the preceding resolutions should be immediately filled up, his Royal Highness the grand master of the Empire was pleased to signify his intention accordingly. For the purpose of carrying this measure into effect, his Royal Highness graciously expressed his approbation of the zeal, the talents and ability displayed by Lieut.-Colonel Fairman, in executing the duties of the office, and in promoting the prosperity and the welfare of the society during the suspension of the late deputy grand secretary. Under a conviction, therefore, that those duties would be duly and most efficiently executed, his Royal Highness was graciously pleased to propose and nominate Colonel Fairman to be appointed the deputy grand secretary of the Orange Institution of Great Britain.

The nomination of his Royal Highness being seconded by the Right honourable Lord Kenyon, deputy grand master of England, and supported by his Grace the Duke of Gordon, deputy grand master of Scotland, and by all the brethren present in grand lodge, it was

Resolved unanimously, That Lieut.-Colonel Fairman be, and he hereby is, appointed deputy grand secretary of the Orange Institution of Great Britain.

In the absence of Colonel Fairman (who had withdrawn during the discussion of this subject) Brother Eedes was desired to record the particulars of the transaction on the minutes of the proceedings, in order that the appointment of Colonel Fairman might be duly notified in the circulars of the grand lodge.

Colonel Fairman on his re-introduction was congratulated by his Royal Highness, by the dignitaries, and the brethren present, and in appropriate terms acknowledged the honour done him by his Royal Highness having condescended to nominate him, and their Lordships and the brethren to elect him, to the office of the deputy grand secretary, professing at the same time his determination to make the best return in his power by a faithful and diligent discharge of the duties of the office thus graciously, and in so gratifying a manner, conferred upon him.

MOTIONS.

14. On the motion of the Duke of Gordon, seconded by Lord Kenyon, the thanks of the grand lodge were unanimously given to his Royal Highness the Grand Master, whereupon

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his Royal Highness graciously acknowledging the same, was pleased to make a most animating declaration of his unalterable attachment to the Protestant principles of our glorious, though now mutilated constitution; adding thereto an irresistable appeal to the members of the grand lodge, and through them to all sound Orangemen, to maintain and carry into practical operation the objects of our excellent institution, as being those which, under the present and projected measures of His Majesty's Government, both towards England and Ireland, could alone conduce to the political salvation of the country.

On the motion of Brother Knipe, seconded by Lord Kenyon, the thanks of the meeting were unanimously given to the Duke of Gordon, for his attendance this day at a considerable inconvenience to himself, and for the anxious desire expressed by his Grace to advance the principles and extend the objects of the society in North Britain; for which the Duke returned his acknowledgments and reiterated his wish to extend the objects and utility of the institution by all the means in his power.

Before the lodge closed, Brother Eedes requested he might be indulged for a few moments in some observations connected with the present proceedings, and embodying a motion of thanks to the right honourable the deputy grand master of England, which he felt assured would meet with the unanimous concurrence of all true Orangemen. He was anxious the lodge should not close without adverting to the declaration, and responding to the call of their illustrious leader; and he would beg to do so in the name and on the behalf of his brethren as well as of himself. It was true, we had to contend against surrounding, accumulating impending evils. Of late years we had witnessed a system of political dislocation tending to a political dissolution. The first political act of dislocation, sanctioned by the legislature, took place about four years ago, in the repeal of the Corporation and the Test Acts. In the following year, Roman Catholic emancipation wrenched out the key-stone of the arch of the constitution. By this was forced the portcullis of the fortress, and free admission given to the adversaries into the heart of the citadel. Those adversaries have never ceased to make the most of the advantages then obtained. They gained that accession of power and influence, to which might be traced the measures now in progress, relative both to England and Ireland, against which we were this day called upon to exert ourselves by all lawful means. But while we had these difficulties to encounter, we had also, on the other hand, the encouraging declaration, and the inspiriting appeal of a Prince of the Blood Royal, whom we had the proud honour to see at our head—a prince who inherited, not only the blood, but the principles also, of that revered monarch, whose memory could not be adverted to, without exciting a thrill of veneration in every British heart, and of whom it might be justly said, that he floated to his grave on a nation's tears! With such a sound constitutional prince at their head, and under circumstances like the present, it became the duty of all Orangemen, and of all Protestants (for the terms if rightly understood were synonymous) to cling around him, as it were in mutual support, and answer the call that had been made, by each in his own sphere, carrying into active operation the conservative principles this day avowed by his Royal Highness, whose patronage of the institution was secured by the evident utility of its objects, and by the active exertions of the right honourable the deputy grand master of England, in placing those objects under his Royal Highness's notice.

For the eminent service thus performed, as well as for the unremitting zeal, the general urbanity and the unabated exertions of his lordship to promote the prosperity, and the attainment of the salutary objects of the institution, he should have the honour of moving, that the cordial thanks of this grand lodge be given to the Right honourable Lord Kenyon, deputy grand master of England and of Wales.

The motion was carried with the most expressive tokens of heartfelt unanimity, and his lordship acknowledged the same with his usual courtesy, and an avowal of his firmest attachment to, and his unalterable determination for the support of, the loyal and truly national objects of the Orange Institution.

Prayers being said by the deputy grand chaplain, the lodge was closed in due form by his Royal Highness the grand master.

W. Blennerhasset Fairman, Deputy Grand Secretary, &c. &c. &c.

NOTICES.

15. The next meeting of the grand lodge is appointed for Monday the 4th of June, at 12 o'clock precisely, at the residence of the Right honourable Lord Kenyon, No. 9, Portman-square. The grand committee will meet on Friday the 1st of June, at 11 o'clock, at No. 3, Cannon-row, Westminster. All communications are requested to be made in writing to the deputy grand secretary, on or before the 28th of May, as no personal applications can be attended to on the day of meeting, except such as have been previously appointed; it having been found impracticable, to complete the business of the committee, within the necessarily limited time, unless this arrangement be adhered to.

16. From the shortness of the space between the last and the next meeting, it is hoped that no fresh summons will be held necessary, but that the members of the grand committee, as well as of the grand lodge, will have the goodness to give their attendance at each, without the issue of any new notice.

17. The extreme length of the present circular, with the onerous press of miscellaneous business, and the heavy, not to say the overwhelming arrears of correspondence, the newly-appointed deputy grand secretary has to bring up, will be a sufficient apology for the appearance

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ance of any tardiness or neglect of which he may be deemed guilty, in answering the numerous letters which reach him from all quarters. In his own justification, he conceives it indispensable to observe, that the deranged state of the affairs of the institution in all its branches, with the want of every thing requisite for his guidance and assistance, would be a more grievous and oppressive weight than he should be able to sustain, or even to contend with, but from the exercise of those energies which a solicitude for the welfare of the society could alone call into full operation. Without books or precedents to refer to, without a compass or rudder to steer by or to direct his movements, he finds himself compelled, like the mole under ground, to grope his way in the dark, which will fully substantiate, for a considerable time to come, his just pretensions to the indulgence of the brotherhood, who must now be aware of the difficulties he has to struggle with in every way.

18. Representations have been made at the office, that false returns, in no few instances, have been transmitted, to a fraud on the revenues of the institution. In recognizing this offence, the deputy grand secretary will refrain at present from publishing names, in reference to circumstances, that may have encouraged such a departure from the principles of integrity. The parties will be written to privately on the subject; and, as the evil has been stated to be a fast growing one, the hint conveyed in the notification which follows, may be the means of checking the rapidity of its progress.

19. At the suggestion of several of the deputy grand masters of districts, and at the strong recommendation of the grand committee, the deputy grand secretary has it in contemplation, in the course of the summer, to make a general tour of inspection, should his doing so be sanctioned by the concurrence of the ensuing grand lodge, as well for the communication of the new sytem and the improvement of the discipline of the warrants in a state of insubordination, as for the ascertainment of the correctness of their returns to the grand lodge, and the investigation of all matters in anywise connected with the good of the institution.

20. The deputy grand secretary has further to intimate, that reports have reached him of some of the provincial warrants having declared themselves wholly independent of the grand lodge; to the authenticity of those rumours, in the absence of all explanation, he cannot yield a full credence. That in consequence of the neglect with which they have been treated, and of the discontent that has long prevailed as to the management of the funds of the society, some few warrants may have withheld their returns and suspended their payments, is the utmost that the deputy grand secretary can be induced at present to believe. With the removal of all reasonable cause for past dissatisfaction, he looks forward with confidence to their seeking a reconciliation with their family, to whose bosom they will doubtless feel happy to be restored, on their receipt of this invitation to return to it.

21. The deputy grand secretary has heard likewise, that some of the warrants have reduced the fees of admission far below the sums stipulated by the grand lodge; and that they have departed from the fundamental laws of the institution, in a variety of respects, to the establishment of a very bad example. He has been informed, moreover, of the abuse of the Purple order, in some cases, by the premature advancement to that dignity of those who, from their recent initiation in the Orange, and without strong reasons, could be scarcely eligible to so proud a distinction; thus rendering trivial and of no value such an honourable elevation; as if extra fees were the chief object rather than the worthiness of the brother translated.

22. Having no books of regulations nor lists of warrants, no names of masters, nor certificates of any kind, no seals of office, nor any of the property, in short, belonging to the institution in his hands, the omissions of which the deputy grand secretary may unwittingly prove guilty, must not be ascribed to remissness nor the least intentional act of disrespect on his part to any one in the society.

23. An early compliance with the second notice in the preceding circular is therefore desirable for the progressive removal of the difficulties alluded to, which may be partially relieved by the immediate transmission of the intelligence requested with the current returns.

DONATIONS.

	£.	s.	d.
24. H. R. H. the grand master, towards the flag of No. 3. - - -	1	–	–
The noble deputy grand master, Lord Kenyon, towards the same -	1	–	–
Privately put into the hands of the deputy grand secretary.	£. 2	–	–

25. *N.B.* For a removal of the charge of egotism, which otherwise might attach to him, for that portion of this report which relates to himself, the deputy grand secretary feels it incumbent on him to mention that he stands indebted for it to his esteemed friend, Brother Eedes, through whose kind assistance he has the honour to lay before the institution a circular so complete, and to whom thus publicly he begs to tender his sincerest thanks for such disinterested aid.

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Appendix (A. 3.)

EXTRACT from Book of Proceedings of Grand Lodge of *Ireland.*

Resolved,—That the sum of ten pounds be given out of the funds of the Grand Orange Lodge of Ireland, towards defraying the expenses incurred in defending fourteen of our poor brethren at the last Newry sessions.

Proposed by Mr. John Ellis. Seconded by Henry Murphy.

26 June 1833. *E. Cottingham*, Ch.

(A. 4.)

Appendix (A. 4.)

EXTRACTS from Book of Receipts and Expenditure of the Grand Orange Lodge of *Ireland.*

	£.	s.	d.
1831. Defending brethren in Cavan - - - - - -	100	2	9
September 12, 1832. Warrant 1781, 80th regiment - -	-	5	-
October 4, 1832. Warrant 1501, 81st regiment - - -	-	5	-
May 20, 1834. Dues Lodge 1780, 50th regiment - -	-	10	-
January 17, 1835. Dues 1725, 85th regiment - - -	-	2	6
March 1835, Dues 879, 89th regiment - - - -	-	10	-

(B.)

Papers respecting the Army, Yeomanry, Militia and Police.

(B. 1.)
Army, Yeomanry, Militia and Police.

Appendix (B. 1.)

REPORTS of Lord *Bandon* to the Lord Lieutenant, on or about the 1st July 1809;—also further Reports relative to the *Bandon* Yeomanry from Lord *Bandon* or the Brigade Major of Yeomanry.

From Lieutenant-Colonel *C. Auriol* to Sir *E. B. Littlehales*, Bart.

Sir, Bandon, September 2d, 1809.

It is by no means my wish to importune you with troublesome or unnecessary letters, but I hope you will excuse my again repeating my earnest request, that you will be so good to pay some attention to my statement of Captain Conner of the Ballyaneen yeomanry's conduct, in consequence of the unlucky party business which took place in Bandon, of which he actually knows nothing, but merely calling himself a warm Orangeman at the head of his company, remains a careless statuary I may say, of my approach on inspection of his company, and ceases to pay my commission any compliment, in short, I may say, does every thing he dares do void of personal insult to make the service unpleasant to me, let me therefore, Sir, beg the favour of you to state the case to his Grace the Lord Lieutenant to obtain his orders either to treat me with that respect my commission as a field officer entitles me to, or else indulge me so far as not to require me ever again to inspect his corps, which would mortify him more than any thing, but if on the contrary it is his Grace's wish I should continue to inspect him with indifference and expect no attention, I shall equally obey his commands, and

Have the honour to be, &c.
(signed) *C. Auriol*, Lt.-Col. B. M. Y.

P. S.—As I am to inspect that district soon, I apply before the arrival of the period.

From Lieutenant-Colonel *C. Auriol* to Sir *E. B. Littlehales*, Bart.

Sir, Bandon, July 16th, 1809.

I had this day the honour to receive yours, conveying his Grace the Lord Lieutenant's orders to me, to disband the infantry and collect the arms, ammunition and accoutrements of the Bandon legion, which I shall accomplish as soon as in my power; I beg also to know if the clothing is to be taken from them or not; about 150 suits were new on the augmentation, the rest are old nearly three years; it has been a most unfortunate affair altogether; the Bandon people annually giving way to that party spirit, which I apprehend is the wish of Government to have subside, and which indeed Lord Bandon as well as myself hoped would soon decrease, but I think it my duty to state to you that if his Grace the Lord Lieutenant does wish to put a stop to such party distinctions, it will be necessary to give what orders he may think proper about it, for without his orders, the officers themselves doubt their power of suppressing it, although I am confident all wish it, except the captain of the Ballyaneen corps, who himself sets the example, not only on the 1st of July but the 12th also; on the 1st he marched his corps into Bandon, and on the 12th paraded them about Ballyaneen, as well as parading them for my inspection on the 10th, himself, officers and men all with orange lily's, which I am confident he did, thinking by so doing to mortify

mortify me, his motive for which arose the inspection prior to the last, on my declining a controversy with him about the Kilmeen corps, whose augmentation he had insisted upon were all rebels, &c.; but knowing Captain Conner's disposition, I had made every inquiry in my power, particularly from Mr. Kenny of Kilmeen, who is an active magistrate and had commanded that corps. I am confident the men are as much to be depended on as any Catholic subjects are to be, therefore could not allow Captain Conner to dictate, and for which reason he shows every inclination to oppose me; it has always been the rule with every corps to receive me with presented arms, which as lieutenant-colonel I conceive I am entitled to; but last inspection Captain Conner remained shouldered, and I remained silent perfectly indifferent how he acted, as I should be very sorry to assume more than his Grace the Lord Lieutenant should approve, and shall of course continue a very silent spectator unless I have his orders to the contrary.

I have, &c.
(signed) *C. Auriol*, Lt.-Col. B. M. Y.

P. S.—I am happy my late conduct met his Grace the Lord Lieutenant's aprobation, as I hope it always will.

From Lord *Bandon*, relative to the Misconduct of the Bandon Yeomanry.

Dear Sir, Castle Bernard, July 9, 1809.

Although you have, without doubt, received a full detail of the disagreeable events which have lately taken place amongst the yeomanry of Bandon, from Lieut.-Colonel Auriol, I think it right to trespass on you with a few words on the subject myself, in order to account for the part I have been induced to take in these transactions. I may say, that the existence of the Boyne Society as a yeomanry corps was my work, because when the establishment of this kind of force was in contemplation, I was consulted by the then existing Government as to the character of the Boyne Society, and whether it might be desirable to continue it on the new plan, as notwithstanding my being well acquainted with the religious prejudices of this body, I never had the smallest reason to suppose that the control of their officers would on any occasion be treated by the members composing it with disregard; and that I thought a well-chosen set of officers would make its continuance perfectly safe, I gave my opinion accordingly; and I am now sorry to observe, that the prejudices I before mentioned have arisen to such a height as to render it impossible for any officers to command them in matters which may at all interfere with their violence. Captain Kingston certainly cannot be blamed for assembling the corps to parade on the 1st instant; because all who know their temper know that they would have assembled without orders, and it was judged most prudent to gratify their wishes *in moderation*. This expedient however failed, and a total disobedience to their officers was the consequence; seeing which I interfered to make them return to their duty, as their captain commandant was absent in England, and I had myself been in that situation, so long that I judged I must have influence. I succeeded as I expected; but it was the opinion of the captains of the several corps that proceedings, so subversive of all military discipline, should not be passed over; and a determination to insist on the ring-leaders being given up was the consequence. This, however, was resisted, as well as any attempt to discover the person who fired into Captain Kingston's house, and who, according to the general belief, was certainly a yeoman; they preferred giving up their arms *in which all* the infantry corps were unanimous, although the Boyne were certainly by far the most violent; *they*, however, addressed me by their serjeants, stating "that their misconduct on the 1st instant proceeded from misconception of the orders," and "their concern for having acted as they did." This address I flattered myself would have been productive of all the good consequences we could wish; instead of which, the corps met to be inspected on the 6th in a state perfectly mutinous. Nothing that Colonel Auriol, their officers or myself, could say or do, could induce them to pull the orange lily from their caps, although *this was no anniversary day;* and we could impute the wearing the badge to an insolent contempt of all subordination (and an opposition to the discovery of the offenders) alone. I must own I have been extremely hurt at this behaviour, having always felt the greatest partiality for the yeomanry of Bandon, who, I am sorry to add, in their present temper seem quite unfit to be trusted with arms (if the preservation of the peace of the country is to be considered), as their *unnecessary* violence cannot but exasperate their neighbours of a different persuasion. No arguments, which good sense and moderation could suggest, were left untried by Colonel Auriol, to bring the yeomanry to their duty; and it was no small addition to the mortification I experienced, to see his efforts (to whom they owe so much) unavailing. I beg leave to enclose Mr. Kingston's advertisement, and wish to know whether it may be thought worthy the notice of Government; if it should, and that pardon to all, except the person who actually fired the shot, were promised, I think the effect must be good.

I have, &c.
(signed) *Bandon.*

"£.586. 15*s.* 6*d.* Reward.

"WHEREAS about the hour of three o'clock this morning, some wicked and evil-minded person fired a musket ball into one of the windows in the front of my house, in the town of Bandon, which passed through the curtains of a bed and lodged in the wall, close to a lady who lay thereon: I do hereby offer a reward of thirty guineas to any person or persons

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who will, within six months from this date, discover the person who fired said shot, so as that he may be prosecuted to conviction.

" Bandon, July 2, 1809. " *George Kingston.*"

" We, whose names are hereunto subscribed, in order to shew our abhorrence of so malicious and unprovoked an outrage, hereby offer the several sums respectively annexed to our names, on the conditions above specified:

	£.	s.	d.
Bandon - - - -	50	–	–
Provost of Bandon - -	30	–	–
John Sealy - - -	22	15	–
Thomas Biggs - -	20	–	–
John Campbell - -	20	–	–
Nath. Evanson - -	20	–	–
Sam. Beamish - -	20	–	–
Robt. Sealy - - -	20	–	–
Rich. Loyd - - -	20	–	–
Geo. Cornwall - -	20	–	–
Geo. Allman - - -	20	–	–
Philip Splane - - -	20	–	–
J. Kenny, D. D. - -	20	–	–
R. Austin, D. D. - -	20	–	–
Mason Alcock, Clk. -	11	7	6
Jonathan Clerke, M. D. -	10	–	–
Amb. Hickey, D. D. - -	10	–	–
Robt. O'C. Newenham -	10	–	–
Joseph Wheeler - -	10	–	–
John Swete - - -	10	–	–
Wm. Allman - - -	10	–	–
Wm. Popham - -	10	–	–
George Sweney - -	10	–	–
John Wheeler - - -	5	13	9
Thomas Honner - -	5	13	9
Stewart Tresilian - -	5	13	9
Christ. Dowden - -	5	13	9
Wm. Dowden - - -	5	13	9
Jacob Biggs - - -	5	13	9
Richard Loane, M. D. -	5	13	9
Thos. Busteed - - -	5	13	9
John Nash - - -	5	15	9
And. R. Bourke - -	5	13	9
Robt. Traverse - - -	5	13	9
Isaac Dowden - - -	5	13	9
Thomas Dowden - -	5	13	9
Wm. Sullivan - - -	5	13	9
Thos. Porter - - -	5	13	9
Wm. Jenkins, M. D. - -	5	13	9
Wm. Jenkins - - -	5	13	8
Geo. Chinnery - - -	5	13	9
John Barrett, Cork - -	5	13	9
Wm. Belcher - - -	5	–	–
Edw. Cotter - - -	5	–	–
Luke F. Nagle - -	3	8	3
William Sullivan, Clk. -	3	8	8
Nichs. C. Bowen, Clk. -	3	8	3
J. Stewart, Clk. - -	3	8	3
Rich. Wheeler - - -	3	8	3
John Jago - - -	3	8	3
Geo. Emerson - - -	3	8	3
Thos. Beamish - - -	3	8	3
Geo. Sutton - - -	3	8	3

From Lord *Bandon*, on re-embodying the Bandon Legion.

Sir, Castle Barnard, July 15th, 1810.

In consequence of a letter which I have had the honour to receive from you, desiring to know whether I consider it necessary towards preserving the public tranquillity that the Bandon yeomanry corps should be re-established, I beg leave to state, that according to the best of my judgment, and the unanimous opinion of the most respectable of the inhabitants of the town and neighbourhood, their being so would conduce to this desirable end; and as from the manner in which I have been consulted on this occasion, I conceive myself to be placed in a situation of some responsibility to Government, I have determined to require from every man who shall enrol himself (in the event of the corps being restored) a solemn obligation not to appear in uniform on any anniversary-day, unless called upon by their inspecting officer, captain commandant, or the unanimous voice of their captains agreeing in the propriety of their doing so. I do firmly believe that perfect moderation may henceforth be expected of the persons formerly composing the Bandon legion. A few Orangemen walked in procession to church on the 2d of July, and behaved with the greatest regularity; and there was no assemblage on the 12th. I find that Captains Campbell and Kingston have resigned all intention of resuming the command of their former companies, should the corps be revived, in consequence of not considering themselves sufficiently young or active again to undertake the duties of the situation. Captain Granson is willing to resume his command; and if agreeable, I will make it my business to find proper officers to supply the place of such as have resigned in the above, or a subordinate rank; the former establishment having been considered too large, I believe it would be desirable to reduce the companies to 100 each, exclusive of non-commissioned officers.

I have, &c.

(signed) *Bandon.*

From Lord *Bandon*, relative to Bandon Legion Officers.

Sir, Castle Barnard, July 21st, 1810.

I have to request that you would have the goodness to convey the assurances of my best thanks to his Grace the Lord Lieutenant, for the attention which he has been pleased to pay to my representations respecting the Bandon legion. I am persuaded he will never have cause to repent of his having gratified a set of people who have never been guilty of any fault but what proceeded from a superabundance of loyalty. I beg leave to observe, that throughout this business I have only acted for my son, Lord Bernard, who retains his commission as captain commandant of the legion, and who I suppose must be equally agreeable to Government as I should be. In consequence of his absence in England, and of my having been their old commander, the persons wishing to inrol themselves applied to me to forward their

their memorials to Government. I suppose a new commission is not necessary for Lord Bernard, the cavalry having remained embodied whilst the other corps were disbanded. For Captain Evanson it possibly may; but if his commission is to be made out afresh, I think he should rank before the new captains, though his company is not the first. William Baldwin, esq. of Nelson-place, a magistrate and a gentleman of good property in this neighbourhood, is willing to accept the command of the Boyne, or 1st company L. B. Legion, *vice* Campbell. The gentleman who I should prefer for the Union, or 2d company, is at present in England; I shall write to name him as soon as I know his sentiments, and shall comply with the instructions respecting rolls of the members and offers of service, &c.

I have, &c.

(signed) *Bandon.*

From Lord *Bandon*, on Bandon Legion Officers.

Dear Sir, Castle Barnard, July 29th, 1810.

I am this day favoured with your letter, proposing, as the only way in which the wish I took the liberty to express, for Captain Evanson's having precedency amongst the captains of the Bandon Legion, could be indulged, that he should be gazetted some days before the others, and I beg leave to say I am very sensible of the attention shown to my suggestion; but as I find by Mr. Pole's letter that the Bandon Legion is to be considered as an entirely new corps, I am, upon mature consideration, fearful that the measure I proposed might if carried into effect occasion jealousies. I therefore request permission to withdraw my application (concerning Mr. Evanson's precedency), unless he should have been gazetted before this letter shall reach your hands.

I have, &c.

(signed) *Bandon.*

I enclose a list of such officers as are at present named for the Bandon Legion:

Bandon Boyne or 1st Company L. B. Legion.

William Baldwin, of Nelson-place, Captain.
Benjamin Popham, late 2d Lieutenant, to be 1st, *vice* Fielding.
George Cornwall, 3d Lieutenant, to be 2d Lieutenant.
James Douglass, to be 3d Lieutenant.

2d Company or Union:—Officers not fixed upon as yet.

3d Company, or True Blues.

Nath. Evanson	- - - - -	Captain.
William Jenkins	- . - - -	1st Lieutenant.
Allen Evanson	- - - - -	2d ditto.
Richard Treesilian	- - - - -	3d ditto.

All the officers of the True Blues are the same as formerly.

From Brigade-Major *Auriol* to Sir *E. B. Littlehales*, Bart., reporting the misconduct of the Bandon Yeomanry.

Sir, Bandon, July 8th, 1809.

It is with regret I have to request you will lay before his Grace the Lord Lieutenant the following unpleasant circumstance which has occurred with the Bandon Loyal Legion. They had always made a parade business with great rejoicing every 1st of July, which party distinction Lord Bandon as well as myself wished to have dropped, therefore I determined not to inspect the corps on that day; but the officer in command, Capt. Kingston, ordered a parade for exercise, from which they were ordered to march to their separate company parades and there dismiss, instead of which they were marching up the town in column to parade as usual, which the Earl of Bandon, who was himself in the field, observing, immediately rode to the head of the column, ordered them to halt, which they obeyed, and counter-march to their private parades, where they were dismissed, when it was naturally hoped all was settled; but in the middle of the night some person fired a ball into one of Captain Kingston's upper windows, which went through the bed where a lady of his family was sleeping. Large rewards were offered in vain to discover the culprit, and on Thursday the 5th instant, as usual, I ordered the parade for inspection, when I was sorry to find the whole legion, with few exceptions in the infantry, all in the most disordered state. Contrary to any former usage, they paraded with orange lilies in their caps, and instead of promoting any attempt to discover who had fired into the window, they meant the badge to insinuate they would oppose inquiry. The Earl of Bandon, who has ever felt interested in the good conduct and credit of the corps, used all his eloquence to persuade them to be obedient to their officers and to take out their lilies, but in vain. It was great presumption in me, when his Lordship had failed, to make any attempt; however, I used every argument I could command to bring them to their senses, but they refused to be commanded by any except Orangemen, and would sooner lay down their arms than their lilies. Finding all attempts to make them orderly in vain, to prevent anything more unpleasant happening, I recommended, with the approbation of the Earl of Bandon, that they should give up their arms by the roll of the corps; I therefore requested Captain Bettsworth, who commanded the Artillery, to send his cars to receive their arms

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and lodge them in the artillery stores, where they now are. Some absentees have since sent in theirs, and I now take the first post to acquaint you of this unpleasant event, and to request you will let me know what his Grace the Lord Lieutenant would wish me to do. I am the more distressed at this misconduct, because I ever considered this corps as far superior to any yeomen I had ever seen. The cavalry alone remain uncontaminated.

I have, &c.

(signed) *C. Auriol,* Lt-Col. B. M. Y.

From Lord *Bandon,* respecting Captain Evanson's resignation.

My dear Sir, Castle Barnard, July 29th, 1810.

To my great surprise, after I had sent my letter of this morning's date to you through the Bandon Post-office, I most unexpectedly received Mr. Evanson's resignation. My letter of this morning you will therefore have the goodness not to notice as far as respects him; of course I request he may not be gazetted.

I have, &c.

(signed) *Bandon.*

From Lord *Bandon,* relative to Bandon Legion Officers.

My dear Sir, Castle Barnard, Aug. 14th, 1810.

I BEG leave to send you the names of three officers to complete the number necessary for the Bandon Legion; there are two new lieutenants of cavalry in consequence of the promotion of Robert Sealy and John Swete, esqrs., to the command of companies.

I have, &c.

(signed) *Bandon.*

Bandon Legion; 2d Company (or Union).

John Swete, esq. to be Captain, from the Bandon Legion Cavalry.

Cavalry.

John Beamish, esq., to be 1st Lieutenant, *vice* Sealy, promoted in the Infantry.
James Allman, esq., to be 2d Lieutenant, *vice* Swete, promoted in the Infantry.

From Brigade-Major *Auriol* to Sir *E. B. Littlehales,* Bart., relative to Captain Connor's conduct towards him.

Sir, Bandon, Aug. 10th, 1809.

ON my return home from Bantry last inspection, the 12th ult., I stated to you the conduct of the captain, &c. of the Ballyaneen corps; not having any answer, I fear my letter may have miscarried, and as I wish to conduct myself on all occasions strictly according to the wishes of his Grace the Lord Lieutenant, I am induced once more to call your attention to the following circumstance, and to request you will be pleased to obtain me his Grace's orders how to conduct myself. Captain Conner, commanding the Ballyaneen Yeomanry is a most violent Orangeman, and had on the 1st of July marched his corps into Bandon to parade with the Bandon corps. I was absent from Bandon on that day; on Monday the 10th I inspected the Ballyaneen, who were always in the habit of receiving me with presented arms, but this day paid me no more attention than if I had been a common traveller; however, I am perfectly indifferent about receiving any compliment, only as I bear His Majesty's commission as a lieutenant-colonel I feel I am bound to support the rank, therefore should wish to know his Grace the Lord Lieutenant's pleasure how I am to conduct myself; and more particularly when he is informed, that notwithstanding Captain Conner knew the unpleasant circumstances which took place in Bandon on the 6th July, yet he on the 10th not only paraded all his corps in orange lilies, but wore one himself; and again on the 12th he marched past me on my return from Bantry with lilies, &c., as before; and although I conceive it a great misfortune to keep alive all or any party distinction, yet I should be sorry to interfere without authority so to do; but I own I foresee great risk in unpleasant disputes between these yeomen who are Orangemen and those who are Catholics, particularly when they meet in the same field for exercise; and indeed the Kilmeen corps, some had lilies and some not; the only cause Captain Conner has taken this decided part is because he is inimical to Captain Gilman, of the Kilmeen, whose augmentation he used every argument with me to reject as rebels, he calls them. I took infinite pains to learn all particulars, and knew I could well depend on the Rev. Mr. Kenny, who had once commanded that corps and lives at Kilmeen; he convinced me of the prejudice of Captain Conner, who is on bad terms, I believe I may say with every gentleman round him; his first objection to meet the other corps, you may remember, was because Mr. Spears was lieutenant in the East Carbery; on his resignation I proposed his joining the other three corps who meet at Ballyaneen, but on his coming into the field he began a long and endless argument about the Kilmeen augmentation, which to avoid I ordered the other corps to exercise as usual. It would be too tedious to give you all particulars, but I will be obliged to you to send me directions how I shall conduct myself, if to discourage or take no notice whatever of the Orange distinction.

I have, &c.

(signed) *C. Auriol,* Lt-Col. B. M. Y.

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Lord *Bandon*, inclosing Copy of a former Letter.

Lord Bandon presents his compliments to Sir E. B. Littlehales, and begs leave to say, that the accompanying paper is an exact copy of a letter which he had the honour to address to him on the 30th ultimo, and which was put into the Bandon post-office the same day, but which he apprehends has not reached Sir Edward, as a letter from Col. Auriol, put in at the same time, and relating to the same transaction, has evidently miscarried, as appears by his being requested to make another report. Lord Bandon begs leave to request the copy of his letter may be returned, as he has not another.

Castle Bernard, August 10th, 1809.

Lord *Bandon* relative to Col. *Auriol's* conduct towards the late Bandon Legion.

Dear Sir, Castle Bernard, July 30th, 1809.

I am sorry to trouble you with a second letter, on the disagreeable subject of the Bandon Yeomanry, but circumstances which have occurred since I dispatched my first letter make it requisite for me to do so, in justice to Colonel Auriol, against whom the vulgar malice of some contemptible privates, in the recently disbanded corps, seems to be directed. I have seen the curious performance of one of these gentlemen, addressed to the commander-in-chief, and also a printed declaration, pretty much in the same style, which has found its way into a Cork paper, in each of these Colonel Auriol is said to have used abusive language to the corps, and the first charges him with having contented himself with nominal inspections, &c.; and now, I beg leave to observe to you that for some reason with which I am unacquainted, these people have thought proper to attribute an exaggerated statement of words, *used by me to Colonel Auriol*, (I suppose they *hope* to injure *him*;) but to return to the 1st of July. On that day, after parade, where I was present, as I generally have been on all occasions in the absence of the captain commandant, (being anxious for the propriety and good conduct of a body I had so long commanded, and not less so, of course, when the command devolved to my son,) finding the corps did not follow their officers, I galloped after them, and putting my horse across their front, called to them *to halt*, which they reluctantly did, being taken by surprise, and used to obey me; but one fellow, who, I understand is this very Roberts, who has written to the commander-in-chief, called out to the men to go on, "charge on," I think, was his phrase, when I did abuse the rascal, and said they must charge through my body if they proceeded. I then made the men countermarch to their distinct parades, and this fellow and others, I am told, have been since expelled the society of Orangemen, for misconduct to their officers. When I tell you that these yeomen had, on the day that this happened, according to annual custom, *my* money to drink, and *my* trees to furnish decorations for their houses and persons, you cannot suppose that I entertained any but the most friendly sentiments towards them, and I did flatter myself that every thing unpleasant would have ended *here*; but in the interim between the 1st and 6th, the usual day of inspection, the outrage which you are acquainted with was committed on Captain Kingston's house, as all believe, by a yeoman. Any attempt to investigate the affair was received with determined opposition, and the orange lily, mounted on the 6th, to evince *this*, in defiance of their officers, and of all previous custom, it being no anniversary day. Every argument proving ineffectual to induce these yeomen to take down their lilies, I said to one fellow, who appeared more surly than the rest, that I thought any man who put up a badge, or wore the insignia of a party, on a day *not an anniversary*, must be considered as endeavouring to sow discord, and excite disturbances in the country, and was not, in my mind, a better subject than if he carried the United Irishman's oath in his pocket. These words and others, such as that it was cowardly to insult and irritate a harmless set of people, now perfectly quiet, have been put into Colonel Auriol's mouth, though spoken by me; and as to his not inspecting the state of arms, numbers, &c. I think the very perfect state these corps were in sufficient to give the lie to all such accusations. These matters were looked into on the private parade of each company, *not* in the field; and if farther testimony to Colonel Auriol's exemplary discharge of his duties be required, it can be had, not only from the captains of the Bandon Legion alone, but I am confident from the officers of every corps in the district. It only remains for me to add, that these turbulent yeomen certainly had every *reasonable* indulgence of their prejudices allowed them on the first, viz. parading and firing a *feu de joie*, and the officers, with most of the bystanders (myself amongst the number), wore their favourite badge; but as party distinctions have been gradually discontinued even in such parts of the kingdom as most abound in Orangemen, it was judged expedient by the principal officers of the Bandon Legion to attempt the same thing here, and it was settled that the members of this body, being Orangemen, should dismiss at their private parades, and go to church to hear a sermon, instead of perambulating the town and environs as a military body. Here their disobedience and my resistance began, conceiving it, as I did, not only proper to enforce obedience to their officers as much as in me lay, for the sake of discipline, but also to avert actual mischief, which might very well have happened had they been left to themselves, and from reports which I have heard, the papists seemed to expect it would occur. I am perfectly sure that the attempt to hurt Colonel Auriol, which has been made, proceeded entirely from his not having altered the day of inspection to the 1st; in this he acted purely in compliance with the wishes of the officers of the corps, and the opinion of all the respectable and moderate part of the town and neighbourhood. His *accusers* are a few idle camblet weavers, who probably regret the loss of their pay as yeomen, little as it was. I have, I believe, said enough

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enough to enable you to judge of the temper of these people, and how impossible it is for any one to be popular with them who will not join to the full extent in their party rancour.

I am, &c.

To Sir E. B. Littlehales, Bart. (signed) *Bandon.*

Letter from Brigade Major *Auriol* to Sir *E. B. Littlehales*, Bart.

Sir, Bandon, August 10th, 1809.

I BEG leave to state, that on Saturday the 29th ultimo, I received a letter from you of the 27th July, inclosing a letter, signed by W. Roberts, calling himself one of the late Bandon Legion, addressed to Colonel Gordon, Horse Guards, accusing me with having abused in the most scurrilous language the whole of the legion under arms on the 6th July, and also asserting that I never inspected the corps but in the most superficial manner; never looked at their arms, but only rode into the field, took the returns, and rode away again. I do assure you that I fully replied, as you desired I would, by next day's post, and in my letter requested you would be pleased to state to his Grace the Lord Lieutenant how much I felt myself insulted by so false an accusation, by so contemptible a character, and that I hoped he would consider I had now served His Majesty upwards of 34 years, and never in my life even suffered the *slightest* rebuke from any superior whatever; and that I therefore hoped his Grace would be pleased to order the Attorney-General to prosecute this W. Roberts for defamation, and so wantonly attacking an officer, will defy his malice, for I should have no difficulty to prove every word of his letter to be false, and I hope you will find my letter, as well as this curious production, which I returned to you by Sunday the 30th's post, have been duly received. I could not help showing Lord Bandon this infamous production, who knows I forwarded it to you, and I have much pleasure in saying his lordship was truly hurt such a production should have given one moment's concern, and I know he was in consequence farther induced to write you a second full account of *all particulars*; and though the best answer I can possibly give to his letter is, that the whole charge is false, yet I cannot help adding, that I never in my life, directly or indirectly, spoke the least disrespectful to any yeoman whatever, but always have considered it my duty to encourage yeomen all in my power to do their duty *cheerfully*. The Bandon corps in particular I always considered so superior to any I had ever seen, that I never could have an altercation with them; but I understand this very W. Roberts was *pointedly* insolent to Lord Bandon on the 1st July, on which day I was not present, and long before I came on the parade the day of inspection they had been at variance with their officers, and all I attempted was to persuade them to recollect how high they stood as soldiers, and to preserve their characters by obeying their officers, the particulars of which I have already stated to you in my letter of the 8th July. With regard to my inspection of the arms of this corps, I ever did it most correctly, on their private parade, and found them every way as correct as I could wish, and whenever the weather would permit, they marched to the field of exercise, where they showed a steadiness far superior to what could have been expected, and I had even pleasure in attending them, or was I ever less than one full hour, and often two, in their field; but, Sir, do not rely on my report on the malice of this insignificant private, but take my character from the hour of my arrival to the present moment from the Earl of Bandon, Lord Viscount Bernard, and all the commission officers of the late legion, who in the handsomest manner so highly approved my conduct, they unanimously voted and presented me with a handsome piece of plate, which I shall ever highly value. If I had been the insignificant character represented, is it probable I should have experienced such marked attention; and at this moment I feel much gratification in the marked anxiety and friendly concern of the Earl of Bandon, who is much hurt at finding me so wantonly and falsely insulted.

I am, &c.

(signed) *C. Auriol*, Lt-Col. B. M. Y.

Sir, Bandon, July 29th, 1809.

I HAVE to acknowledge the receipt of your's of the 26th instant, containing a letter from a man calling himself William Roberts, written to Colonel Gordon, military secretary to the commander-in-chief, stating what he calls facts of the unfortunate occurrences which took place here on the 1st and 6th instant, and my total neglect of duty, &c. &c.

In reply, I have to assure you that there is not one word of truth in his whole letter, and I should hope that his Grace the Lord Lieutenant would have those feelings for my character as an officer, who have served 34 years with credit to myself, that he would direct the Attorney-General to prosecute the author for defamation, &c. For the particulars of what did take place, I beg to refer you to the *facts* stated in my letter to you of the 8th instant, and to assure you I never in my life made use of a harsh word, much less of an abusive one, to any yeoman whatever; and I thank God I have that respectable nobleman the Earl of Bandon, as well as all the officers of the legion, to prove that all I attempted on the 6th was to persuade them to consider the value of their estimable character as soldiers, and not to lose it by opposing their officers; that the first and most commendable part of a soldier's duty was obedience to his superior; that, therefore, I hope they would obey, and pull the lily out of their caps, which they had been previously urged to do by their officers. Finding these arguments vain, I used others, and endeavoured to convince them that keeping up the distinction would do His Majesty's cause more harm than good; that the true characteristic of the Irish or British soldier was, as soon as he had conquered his enemy, to take him

him by the hand, and then all enmity ceased. However, all I said was to no purpose, or had I any hope it would, as the Earl of Bandon, for whom they ought to have shown all respect, had, with ten times my powers, failed in the same attempt. They then said they would rather give up their arms than their lilies, on which I called on the officers to accept of their arms, and they began grounding them, and cheering in a most riotous manner; indeed, I found many of their arms piled before I came on the parade. I ordered them to stand to their arms, and that they should be received from them by roll, and went myself to Captain Betsworth, commanding the artillery, to desire he would send his cars to receive them, and place them safe in the artillery stores, which he did immediately. With regard to his assertion of my never inspecting a firelock, if in order or not; that I never counted rank or files, never put them through any manœuvre, &c. but took the returns, and rode out of the field, to which you require my particular reply, I beg leave to refer you to the Earl of Bandon, while he commanded, and all the officers of the corps, for the whole of my conduct from the day I first inspected them in June 1806 to the present period, which you will find, I flatter myself, in direct opposition to the accusation made against me; and have much pleasure in saying, that I have spent many hours in their field attending to their perfections, which were very superior to any other yeomen I ever saw. As to manœuvring them, I never did, for I never conceived it my duty so to do, and if I did, I could not have executed so well as their own officers.

I am, &c.

(signed) *C. Auriol*, Lt-Col. B. M. Y.

From *William Roberts* to Colonel *Gordon*, &c. &c., Privy Secretary to the Commander-in-Chief of His Majesty's Forces, Horse Guards, London.

Sir, Bandon, July 7th, 1809.

I BEG leave to state to you, for the information of the Commander of His Majesty's Forces, a circumstance that took place here on the first of this month and the sixth, in this town; and knowing that you may never get at the truth of the matter through any other channel, I take this liberty, and for the good of His Majesty and Government.

There are three companies of yeomen here consisting of five hundred men, the Boyne, Union, and Blues; Lord Bernard being in England the command devolved to Captain George Kingston; the first of July being a parade day, the corps fired in the parade field as usual on that day; and proceeded to march through the town as customary this number of years, but were stopped by Captain Kingston, and ordered to their parades, and when there, were dismissed; he ordered the permanent serjeant not to return the men on the third, fourth and fifth day, and the sixth, being the inspection day, they all were on their different parades: Captain Kingston had some conversation with the brigade major, Colonel Auriol. The men had in their caps sprigs of oak and orange lilies from the first of July, as they always celebrate that day here in honour of king William; these corps are all Protestants and Orangemen; this Orange system was formed, I understand, during the late rebellion of Ireland. When the disaffected formed themselves into united men against their King and Government, the Protestants formed themselves into Orangemen, in support of their King and Government, and to put down the rebellion of Ireland; the yeomen having in their caps sprigs of oak and orange lilies, the emblems of loyalty. Captain Kingston took an offence at it, and the brigade major came to their front and told them, the rascals to take down that damnable badge and trample it under their feet; not finding they readily complied with his request, he called them vagabonds and scoundrels, and that no man could venture himself into the field with such a set of cowardly rascals, and to lay down their arms; with that order they complied and laid down their arms, but with silence and mournful regret; some gentlemen crept home with them, and sent them in the next day, ashamed to leave them in the streets; the arms and appointments remained in the streets until the artillery carts came and took them up and carried them to their stores. Here he broke up one of the finest bodies of yeomen, for the number, that Ireland could boast of; and volunteered their services to any part that Government should think proper to send them. No man was admitted into this corps that ever was tainted with united or French principles. During the brigade-major's residence here this three years, he never inspected a firelock to see if it was in order or not; never counted the rank and files; never put them through a manœuvre, but took the returns and rode out of the field.

I feel, and every loyal man feel themselves very much affected at the circumstance to see so loyal and fine a body of men, fit for any service, broke up in a moment. I saw a deal of service, and a finer body, for the number, I never saw. Now, Sir, you may depend upon the truth of this, and if it is any service or information to you, it has answered all my purpose.

Yours, &c.

To Colonel Gordon, &c. &c. &c. *William Roberts.*

From Lord *Bandon*.

My dear Sir, Castle Barnard, August 8th, 1810.

I HAVE the honour to transmit the names of all the officers of the Bandon Infantry, which have not as yet been given in, with the exception of the captain of the 2d company, whose answer (he being in England and his direction uncertain) I have not, as yet, been able to obtain

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obtain; I shall be much gratified in having all these appointments gazetted as soon as convenient,

I have, &c.

Bandon.

P. S.—It is my wish that the captains should be gazetted according to the rank of their companies, except the captain of the 2d company, who on account of his absence, must be the junior captain.

Bandon Legion Infantry.

1st Company or Boyne:—Officers names already transmitted.

2d Company or Union:

Thomas Porter, esq., to be 1st lieutenant.

Jacob Biggs, junior, esq., to be 2d lieutenant.

George Leathem Sweeney, esq., to be 3d lieutenant.

3d Company or True Blues:

Lieutenant Robert Sealy, from the Bandon Legion Cavalry, to be captain; *vice* Evanson resigned.

Three lieutenants' names already transmitted.

From Brigade Major *Auriol*, relative to his conduct with respect to the Bandon Corps.

My dear Sir, Bandon, August 1st, 1809.

From the unaccountable turn the Bandon corps have taken, they seem to look on me as the object for revenge; the only way I can account for it is because perhaps they look on me as the only man on whom they can obtain any punishment; and I own, I regret, the statement of a most contemptible member, a private, who has no one attention to facts, should have been for a moment noticed; I should be truly happy to rise or fall entirely on the true merits of my whole conduct since I have been in this district; but unless some steps are taken, I fear you will be much plagued with different false complaints, because certainly the body of these men have been led away by the arts of, I hope, a small number; they had no respect for their officers, and conceived themselves of so much consequence that Government could not do without them, and that they would be able to dictate their own terms; they were certainly a steady body of men under arms, and far superior to other yeomanry, but unfortunately the yeomanry laws don't bind them the least, for if a corps under arms even are ordered to shoulder when standing at order, they may refuse and laugh in their officers' face, who has no power of punishing one of them; this, I hope, they are all ignorant of, yet I am sorry to find revenge is their favourite passion. I only aimed at persuasion, as I have told you before, and understand they are the more displeased at my conduct because I inspected Captain Conner's corps on the Monday following, and allowed them to appear in orange lilies; I should not interfere with any corps who wore them with the approbation of their officers, and here Captain Conner set the example; but in Bandon the officers were informed the men wore them to show their independence, and that they would not suffer any inquiry who had fired the ball into Captain Kingston's house, under which circumstance I found the officers using all their power in vain to get their men to take out this badge from their caps. Lord Bandon, who was present, made the same endeavour, and my aim was only to persuade them to respect their own character and obey their officers, for though I consider all party distinctions as very inimical to Government, particularly when carried to such excess as it is here, yet I should not (without ordered so to do) ever interfere; I stated to you on my return from Bantry how Captain Conner's corps had acted, and wished directions how I should conduct myself; you no doubt know the character of this man, and may easily conceive how little I wish to have to do with him; you would therefore oblige me, either by public letter or private advice, to say what conduct Government would wish me to pursue, because I can have no wish independant of the interest of Government; at the same time I should like to know if I am to do all in my power to discourage these Orange parties, or if I am to leave them unnoticed on all occasions: the greatest objection I feel to the distinction, is that perhaps two corps meet in the same field, one with lily, and one without, I then dread the consequence; but it is not my wish to detain you unnecessarily, therefore have only to hope you will not allow me to be condemned unheard, and then you will relieve me from my dilemma, and believe me,

Yours, &c.

C. Auriol.

From Lord *Bandon*, respecting Mr. Evanson's commission clothing of part of late Legion.

Dear Sir, Castle Barnard, July 31st, 1810.

I am sensible that I should make many apologies for the liberty I am going to take in stating that when I wrote to you on the 29th instant, withdrawing my former application to have Mr. Evanson appointed senior captain of the Bandon infantry, I did not imagine that the matter could be so great an object with that gentleman as from subsequent communication with him I find it is, and therefore, if you can still have him gazetted before the other officers, whose names I transmitted on the 29th, it will be highly gratifying to him and me; the other captain never having held a commission in the yeomanry, and Mr. Evanson being an old officer, he has declared that he should feel himself very awkwardly situated in being thus

thus commanded. I am extremely sorry to give you this additional trouble which has been entirely occasioned by my not having had an opportunity of seeing Mr. Evanson earlier: with respect to the clothing of the Bandon Legion, I am apprehensive from what I hear, that what they received two years ago is not forthcoming, and that they must make an appearance both uncreditable and mortifying to themselves, if his Grace the Lord Lieutenant should not take their case into his consideration; had the corps remained embodied, they would have been entitled to clothing in September twelvemonth; the difference is but a little more than a year in advance; but I have directed an exact statement to be laid before Colonel Auriol for the information of Government.

I have, &c.

Bandon.

P. S.—Should this letter come too late, Mr. Evanson will continue in his present situation notwithstanding.

Appendix (B. 2.)

REPORTS of the General of the District to the Commander-in-Chief relative to an Attack on the Detachment of the King's County Militia stationed at *Omagh*, &c. &c. &c.

From *H. M. Gordon*, Military Secretary, to Major-General *Hart*.

Commander of the Forces' Office, Dublin,
August 16, 1809.

Dear Sir,

In consequence of the reports which have been laid before his Grace the Lord-Lieutenant, of the serious occurrences which appear to have taken place between the yeomanry corps at Omagh, and the detachment of the King's County militia, stationed in that town, the Commander of the Forces desires me to mention to you, that it appears to Government expedient that the detachment of the King's County militia should be removed from Omagh immediately, if not already done.

I have, &c.

(signed) *H. M. Gordon.*

From the Deputy Adjutant-General to Major-General *Hart*.

Adjutant-General's Office, Dublin,
August 15, 1809.

Sir,

I have the honour to acknowledge the receipt of your letter of the 13th instant, and to signify to you the Commander of the Forces' approbation of the measures you have taken in putting a stop to the disturbance that took place at Omagh, betwixt a detachment of the King's County militia and yeomanry assembled at that place; and his Lordship requests you will take such further steps, in conjunction with the magistrates, for investigating this unfortunate business as you may find necessary, reporting the result to head quarters.

I have, &c.

(signed) *W. Raymond*, D. A. G.

From Major-General *Hart* to the Adjutant-General, Dublin.

Omagh, August 13, 1809.

Sir,

I have the honour to report, that information having reached me this forenoon at Londonderry, of a very serious disturbance which had taken place last night, betwixt a detachment of the King's County militia, stationed at this place, joined by volunteers from that regiment passing through to Newry, and some of the yeomanry corps, who had unfortunately been brought together upon some festive occasion, in which one man of the yeomanry has been killed, and several on both sides wounded, I deemed it prudent to come over to investigate into the circumstances.

Thirty-five of the militia and volunteers are in gaol, where it had been thought advisable to send them, principally as a place of security from the violence of the enraged yeomanry; the remainder are in the artillery barrack. I have ordered a captain, three subalterns, a proportion of non-commissioned officers, and 50 men of the second battalion, 69th regiment, from Derry, to take the duty here in the meantime. They will arrive to-morrow morning, as will also a subaltern, and twenty men of the Enniskillen dragoons.

In consequence of this disagreeable business, it will be impossible for the volunteers from the King's County regiment to proceed on their march, so as to arrive at Newry on the 16th instant, of which I have apprised the inspecting field officer of the recruiting service at that place.

In case, upon investigation, it should appear necessary to send the volunteers through the remaining part of the county of Tyrone, protected by an escort from the resentment of the yeomanry, I have been induced to bring the dragoons above alluded to from Londonderry, for that purpose.

As soon as I can (which I hope will be to-morrow, with the assistance of Sir John Stewart, who was on the spot, and that of Mr. Galbraith, crown solicitor, whose attendance I have

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requested, and who I expect to-morrow from Strabane), finish the investigation, I shall have the honour of reporting further on the subject, for the information of the Commander of the Forces; I shall, as soon as possible, send to Strabane, with Major L'Estrange, of the King's County militia, who is now here, all the men of that regiment who are not implicated in the disturbance, in such a degree as to render it necessary to have them committed for trial; at present every thing is quiet.

The county gaol is under the charge of a guard from the Royal Artillery, stationed here under Captain Pakenham, whose conduct at present appears to have been very proper.

I have, &c.

(signed) *G. V. Hart*, Major-General.

From Major-General *Hart* to the Adjutant-General, Dublin.

Sir, Omagh, 17th August 1809.

After the most diligent investigation and a multitude of examinations, (which I have this day had to look at) taken by the high sheriff and other magistrates of the county of Tyrone, assembled during five successive days, almost constantly employed, and assisted by the crown solicitor relative to the disturbance which unfortunately happened here on the 12th instant, I have the honour to report, for the information of the Commander of the Forces, that excepting two corporals and 15 privates, who are detained in prison by the magistrates for trial, the detachment lately quatered here of the King's County militia, has this day marched to Strabane, under escort, as far as Newton Stewart, of a party from a troop of the 6th Dragoons, lately brought here, and which returns to Enniskillen to-morrow morning.

One private, a volunteer for the 73d regiment, who was wounded in the affray, has been left here in the county hospital.

The permanent sergeant of yeomanry, who died of the wound he received, was this day buried with proper decorum, and perfect tranquillity appears in the conduct and behaviour of all the inhabitants of the place, as well as in the numerous concourse of people who came to market.

I request you will be pleased to submit to the Commander of the Forces, the propriety of relieving, in a short time, the detachment now here, of the second battalion 69th regiment, by one from the Antrim militia at Augheraclay.

I think it right here to mention, that before the unfortunate affray on the 12th instant happened, perfect tranquillity and harmony existed between the detachment of the King's County militia and the inhabitants of Omagh, in the same manner as it does between that corps and those of the town and neighbourhood of Strabane; and that the unfortunate riot here is generally known and understood to have occurred without any premeditation whatsoever.

I have; &c.

(signed) *G. V. Hart*, Major-General.

(B. 3.)

Appendix (B. 3.)

PAPERS respecting the case of *Alexander Bell*, tried at Armagh Assizes, 1809, for assaulting with intent to murder *James Bermingham*.

From Baron *M'Clelland* to Sir *Charles Saxton*, Bart.

Sir, Annaverna, 1st August 1809.

I had the honour of receiving your letter this morning, in which you request I would acquaint you for the information of his Grace the Lord Lieutenant, whether it would be proper to comply with the petition from the inhabitants of Portadown, which you inclosed to me. The convict alluded to in the petition is a person of the name of Alexander Bell, who was found guilty before me at the last assizes of Armagh, on two indictments, the one charging him with having stabbed James Bermingham with a bayonet in July 1806 with intent to murder him; the other indictment charging him with having wounded the same person on the head with a hatchet, in the month of March 1807, with intent to murder him. The case appeared on the trial to be one of peculiar atrocity, and the prisoner was convicted on the clearest testimony. It appeared on the trial that for three years the prisoner had set the law at defiance, appearing publicly in the neighbourhood where the crimes were committed, and effectually resisting any attempt to take him in that neighbourhood (which the petition represents as so peaceable and quiet), although on one occasion the military were called in aid of the peace officers. He lately ventured to a fair at some distance from Portadown, and was there arrested. In a few minutes after the trial was over, two of the magistrates who have signed the petition, Mr. Lofty and Major Blacker, applied to me in favour of the prisoner, and requested I would have his life saved and his punishment reduced to transportation, and assigned as a reason for the application, that they apprehended that the prosecutor and those who had assisted in the prosecution, would be murdered by the friends of the prisoner, if the prisoner were executed. I informed those gentlemen I could not comply with their application, and that the reason they assigned for saving the prisoner's life rendered his execution indispensable, as an example and warning to that riotous and disorderly neighbourhood. Immediately after, a counter application was made to me by some

some of the most respectable gentlemen of the county, and particularly by Mr. Brownlow, who stated to me that in his opinion the peace of that part of the county depended on the execution of Bell, and that it would have the most salutary effect to order the execution to take place in the vicinity of the place where the crimes had been committed, and that Portadown was the fittest place for that purpose. I accordingly ordered the execution to take place at Portadown on Monday next. On my leaving court, Mr. Dawson the assistant barrister for the county waited on me, and laid before me several informations sworn before him and other magistrates, whereby it appeared that the district immediately around Portadown had been of late much disturbed by a combination of the landholders against their landlords, limiting the rent of lands, and preventing any stranger from taking lands in the neighbourhood. On the next day I called the attention of the grand jury to this important subject, and gave them such advice as I thought would enable them to check this dangerous combination. Several of the grand jury then stated to me, that they had great hopes that the execution of Bell at Portadown would have the desired effect of quieting that neighbourhood, and that they would consider it their duty to attend at the execution, and admonish the people who would assemble there, and caution them against such illegal proceedings.

For the reasons above mentioned, I am of opinion it would not be advisable to comply with the petition.

I have, &c.,
(signed) *Jas M'Clelland.*

PETITION to the Lord Lieutenant for a mitigation of punishment for *Alexander Bell.*

To his Grace Charles Duke of Richmond, Lord Lieutenant General and General Governor of Ireland.

May it please your Grace,

We, the magistrates, clergy and other principal inhabitants of Portadown and its vicinity, in the county of Armagh, beg leave to approach your Grace with every sentiment of respect and loyalty. We have learned with extreme horror and surprise, that an unfortunate man, whose life has been forfeited to the offended laws of his country, at the late assizes of Armagh, has been ordered for execution in this town on the 7th of the ensuing month.

Having been always accustomed to consider those deviations from the usual course of public justice as resorted to for the purpose of intimidating or of stigmatizing those districts where outrage was prevalent and laws set at defiance, judge, we beseech your Grace, what must therefore be the feelings of men whose greatest boast it has ever been, that the town and vicinity of Portadown stood second to none in loyalty to our sovereign and obedience to the laws.

We beg leave to state to your Grace, that the crime for which this unhappy man is adjudged to suffer, was committed several miles from hence, and at a period of three years back, and until this one fatal instance, was unknown in this part of the kingdom. We now enjoy the most profound tranquillity, and even Faction herself appears to be at rest.

Under these circumstances, we do most earnestly implore your Grace, that if outraged law must be appeased, and offended justice demands her victim, you will let the atonement be made at the place usually appropriated to those awful occasions, and spare the feelings of a district whose inhabitants will ever prove themselves most grateful for this mark of your gracious consideration.

Signed in behalf of the Inhabitants of Portadown and its vicinity, this 28th day of July 1809.

Stew^rt Blacker, Rector of Drumcree and Portadown.
George Blacker, Vicar of Segoe.
P. Coyne, P. P. of Drumcree.

Curran Woodhouse, J. P.
J. Atkinson, J. P.
Wm. Loftie. J. P.
Alan V. B. Bellingham, J. P.
Miles Atkinson, J. P.
Wm. Blacker, Major Armagh Reg^t.
Will. Atkinson, Capt. Portadown Inf^ty.
Henry Chamney, Lieu^t Portadown Inf^ty.
Wm. Leigh, Surgeon.
Tho. Woolsey, 2d Cap^n Sigar Inf^ty.
Wm. Overard.

COPY of the BILL of INDICTMENT and RECORD of CONVICTION of *Alexander Bell*, for assaulting with intent to murder *James Bermingham*, tried at the Armagh Assizes 1809.

County of Armagh, to wit. THE jurors for our Lord the King, upon their oath, do say and present, that Alexander Bell, of Flacknahay, in the county of Armagh, yeoman, on the twenty-eighth day of February, in the forty-seventh year of the reign of our sovereign Lord George the Third by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms, that is to say, with swords, sticks and so forth, at Hacknahay aforesaid, in the county of Armagh aforesaid, in and upon one James Bermingham, a true and faithful subject of our said Lord the King, in the peace of God and of our said Lord the King, then and there being, wilfully, maliciously, unlawfully and feloniously did make an assault, and that the said Alexander Bell wilfully, maliciously, unlawfully and feloniously did then and there with an iron hatchet, which he the said Alexander Bell then and there in his right hand had and held, cut him the said James Bermingham in and upon the head, with intent then and there in so doing, and by means thereof, wilfully, maliciously, unlawfully and feloniously

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to murder him the said James Bermingham, against the peace of our said Lord the King, his crown and dignity, and contrary to the form of the statute in that case made and provided: And the jurors aforesaid, upon their oath aforesaid, do further present that the said Alexander Bell, on the said twenty-eighth day of February, in the said forty-seventh year of the reign of our said Lord the King, with force and arms aforesaid, at Hacknahay aforesaid, in the county aforesaid, in and upon the said James Bermingham, wilfully, maliciously, unlawfully and feloniously, did make an assault, and that the said Alexander Bell wilfully, maliciously, unlawfully and feloniously did then and there with an iron hatchet which he the said Alexander Bell then and there in his right hand had and held, cut him the said James Berminghim, in and upon the head, with intent then and there in so doing, and by means thereof wilfully, maliciously, unlawfully and feloniously, to maim and disfigure him the said James Bermingham, against the peace of our said Lord the King, his crown and dignity, and contrary to the form of the statute in that case made and provided.

True Bill.

Wm. Brownlow, for self and fellows.

P. S.—Verdict, guilty. Judgment, to be hanged by the neck till dead. Execution to be on Thursday the 7th day of August next, at Portadown.

A true Copy.

Leonard Dobbins, J. Clk. Crown.

(B. 4.)

Appendix (B. 4.)

CORRESPONDENCE respecting the *Warringstown* Cavalry, *Ban* Infantry and *Scarra* Infantry Yeomanry Corps, in September and October 1810.

From Brigade Major *Wallace* to Sir *E. B. Littlehales*, Bart.

Sir, Belfast, 19 Sep. 1810.

I HAVE the honour to report to you for the information of his Grace the Lord Lieutenant, that an occurrence of a most disagreeable nature took place lately at my inspection of some corps of yeomanry; on the 12th instant, I had appointed to inspect the Ban infantry, commanded by Captain Nicholson, and the Upper Iveagh infantry, commanded by Captain Wm. Reilly at the parade ground of the Ban corps or near it. Captain John Reilly's corps of cavalry came to the same place, as the hour of inspection there better suited him on that occasion, both in point of time and place, his distance from Warringstown (the usual parade of the troop) being often very inconvenient to him; in the Upper Iveagh infantry there were originally several Roman Catholics, and on the above day there were six men of that religion in the corps, a party spirit had most unhappily been excited privately (as I understand), against those men, and in consequence of some secret agreement the Ban and Upper Iveagh corps refused to be inspected unless those men should be dismissed; prior to my arrival the Ban corps had laid down their arms, Captain Nicholson having told them that it was their duty to obey his orders, and that he would not suffer any man to remain in his corps who would not be obedient to his legitimate authority, and as soldiers they were not to judge but obey; the Upper Iveagh corps had fallen in on my entrance into the field, and the troop had just formed on their right, when suddenly and very unexpectedly both cavalry and infantry broke their ranks, and in spite of every exertion of the officers and myself rushed forward to a rising piece of ground before Capt. Nicholson's house, where his men had at first formed, and where most of them were still remaining disarmed, and had by shouts encouraged the other men to join with them. Capt. John Reilly warmly and justly represented to his corps the great impropriety of such conduct, as shameful in itself and subversive of all order and discipline, as well as the impolicy and illiberality of entertaining such feelings against our Catholic fellow-subjects. I also remonstrated with them in a very serious manner on their disgraceful behaviour, advised and entreated them to reflect on the bad consequences, and that they would resume their arms, fall into the ranks, and return to good order and obedience; at last they complied with some reluctance, and wished to make terms, which Capt. Reilly would not then agree to, namely to have the Catholics dismissed, &c. The Upper Iveagh infantry were by my influence soon brought into order, and marched off the ground a short distance, where they remained until Capt. Wm. Reilly arrived from B. bridge where he was on duty as a magistrate, and he immediately disarmed a man who was pointed out as particularly active as a ringleader; his corps marched peaceably home afterwards. The Ban corps at length submitted to Capt. Nicholson, took up their arms, and promised obedience in future to all his orders. Some of them who had gone off returned next morning, made submission, and solicited their arms again, promising due obedience in my presence, and confessing they were misled. The troop also at last moved homeward in an orderly manner, but did not acknowledge their submission and acquiescence as to the Roman Catholics. Capt. John Reilly told me he should go to Armagh to Gen. Campbell and ask his advice and report to him in person, and would write to me; I deferred making a report until he wrote me, he says he will wait on his Grace the Lord Lieutenant on the business. I have been absent on duty for some days and returned here this day, and found a letter from Capt. Reilly; as he is going to Dublin he will better be enabled to give further information personally, than I can by letter at present.

I have, &c.

(signed) *J. Wallace*, M. B.

From

From Captain *J. Reilly* to Sir *Edward B. Littlehales*, Bart. (B. 4.)

Army, Yeomanry, Militia and Police.

Sir, No. 39, Summer Hill, 20 Sept. 1810.

In compliance with the wish intimated to me at the interview I had the honour of having with you yesterday, I beg leave to make the following brief report of the circumstances which induced me to wait upon you, in order that you may if you think proper lay the same before his Grace the Lord Lieutenant.

Having received orders from Brigade Major Wallace to assemble the corps under my command, viz. the 2d troop Lower Iveagh cavalry, in the grounds of Mr. Nicholson at Banford, near Gilford, in the county of Down, on Wednesday the 12th instant, I accordingly obeyed, and after mustering the troop on my private parade, marched it into the field appointed by the brigade-major, and in his presence took the ground allotted to me.

I observed there were two corps of yeomen infantry in the same field, one, viz. the 1st Upper Iveagh corps, immediately on my left, and the other, styled, I believe, the Ban infantry, under the command of Captain Nicholson, stationed on the top of a rising ground, at about the distance of six or eight hundred yards directly in front of my troop. I soon perceived that there was much disorder and confusion in the last-mentioned corps, which was shown by some of the men throwing down their arms, waiving their caps in the air, and advancing in parties a short way down the hill, huzzaing and inviting my men to leave their ground and join them; on this I addressed the troop under my command, telling them "I was not aware of what was the matter, that I commanded them to be steady, and let what would be the consequence not a man to quit his post," also expressing my fullest confidence and the satisfaction I felt at the better sort of people I had to deal with.

At this moment I perceived some partial disorder in the ranks of the corps on my left, and observing that my younger brother, its commanding officer, was not present (he being obliged in his capacity as a magistrate, to attend a sessions at Banbridge), conceiving that my own corps would, after my caution, which seemed to have its due effect, remain steady under the command of my lieutenant, and that my presence in my brother's absence, particularly as his corps was composed principally of my tenants, might have a good tendency. I rode in front of them, and after severely chiding those I saw disorderly, and calling upon the subaltern officers to follow my example, and Major Wallace riding up at the same moment, I had the pleasure to see good order nearly restored, when I heard Mr. M'Creight, one of my lieutenants, call to me to look to my own men as he could not manage them; this I had not time to do before, with drawn swords and loud huzzas, they galloped at full speed to the ground to which they had been invited by the mutineers. I followed, trying every means in my power to halt them, but to no effect till they had chosen their ground, when I addressed them and requested to know the cause, if any, they could have for such disgraceful conduct; on this, Captain Nicholson and his officers, who to their credit I must beg leave to remark, did every thing in their power to suppress and prevent the proceeding, informed me that understanding that some individuals in their corps had declared that they would not do duty in the same field with a Catholic, of which religion there happened to be six men in the 1st Upper Iveagh infantry (men who I beg leave to state, from my own knowledge, had been in said corps from its formation, and of course of most exemplary conduct), convinced of the impropriety of such a resolution, had determined to set their faces against it, and for that purpose had told their men that those who had formed such had better lay down their arms, upon which the majority of the Ban infantry did ground their arms, and afterwards behaved in the disorderly manner I have above stated, by inviting and prevailing upon the cavalry to follow their example.

Upon the cause being thus far explained to me I took the opportunity of addressing all parties present, in hopes of bringing them back to a proper sense of their duty, but am sorry to say without much effect.

I then proposed to the troop of cavalry the alternative of either agreeing to obey me implicitly, or to lay down their arms, on which almost the whole corps chose the latter and threw their arms indignantly from them, which together with their accoutrements I had intended to convey to my own house, till made acquainted with the pleasure of Government, but Brigade-Major Wallace thought it more advisable to restore the arms to the two corps (the 1st Upper Iveagh being kept in good order by the timely arrival of their captain), and they now hold them on their own conditions, viz. "that they are not to be ordered into the same field with a Catholic!"

Conceiving this to be a matter of much moment and delicacy, and which may very much involve the peace of the country, I thought it my duty, after first reporting to Major General Campbell commanding the district, to lose no time in laying the transaction before His Majesty's Government, and shall feel myself much honoured by receiving your instructions how I am to proceed.

I have, &c.

(signed) *John Lushington Reilly,*

Captain 2d Troop, Lower Iveagh Cavalry.

(B. 4.)
Army, Yeomanry, Militia and Police.

Mr. Reilly presents his compliments to Sir Edward Littlehales, and begs leave to apologize for not having inclosed the accompanying statement yesterday, but finding it would require more time than he then conceived, he deferred his journey till this afternoon; any communication Sir Edward may find it necessary to make to Mr. Reilly, he will please to direct to Scarva House, Loughbrickland.

39, Summer Hill, 20 Sept. 1810.

From Lord *Harrington* to Sir *Edward B. Littlehales*, Bart., &c. &c.

Commander Forces' Office, Dublin,
September 26, 1810.

Sir,

Referring to your letter of the 22d inst., relative to the disorderly conduct of three yeomanry corps in the county of Down, I have the honour to transmit to you a letter from Major-General J. Michel, enclosing a Report from Brigade-Major Wallace on the subject, which you will be pleased to lay before the Lord Lieutenant.

I am at the same time to observe, that when the result of the investigation ordered to be made shall be received, it will be communicated for his Graces's information.

I have, &c.

(signed) *Harrington*, General, Commander of the Forces.

From Major-General *Michel*.

Belfast, Sept. 21, 1810.

Sir,

I have the honour to transmit a report made to me by Brigade-Major Wallace, relative to an unhappy dispute that has lately taken place in some yeomanry corps in the county Down; and I am excessively concerned to add, that the rooted animosity at present subsisting between those yeomen, denominated Orangemen, and the Catholics, is so inveterate as to hold out but little hopes of reconciliation and friendship. The corps in question I have inspected, and they certainly are of the very best description of yeomanry. I understand Captain Reilly has stated the whole transaction to his Grace the Lord Lieutenant; but I thought it my duty to obtain the annexed report, for the information of the commander of the forces.

I have, &c.

(signed) *John Michel*, Major-General.

Brigade-Major *Wallace* to Major-General *Michel*.

Belfast, Sept. 20, 1810.

Sir,

In consequence of a conversation I had with you relative to a very disagreeable affair that lately occurred at an inspection of three corps in my district, I have subjoined the following statement of the particulars, as far as I could learn, or as they took place in my presence.

The Ban and Upper Iveagh corps of infantry were to be inspected on the 12th inst., and it was agreed by the captains that they should parade in Captain Nicholson's lawn, and he had conducted the Iveagh into his ground prior to the appointed hour of inspection. In this latter corps several Catholics were admitted originally, and six men of that persuasion were in it on the above day. It seems an unfortunate and very illiberal spirit did exist, and was excited against those men on this occasion, by some members of their own corps, in which they had hitherto served, without any animosity that came to my knowledge. I was told that some of the Iveagh intimated to the Ban, that if they would refuse to join on parade, they would succeed in getting the Catholics dismissed from the Iveagh corps. This passed prior to my arrival; and Captain Nicholson had told his men that he expected obedience to his orders, and that any who would not submit to orders he thought conducive to the public service, might retire, as he was resolved he would permit no man to be in his corps who would dispute legal authority. As I approached the ground, I was not a little surprised to see, near Captain Nicholson's door, the greater part of his men without arms or accoutrements. I met some, and asked the cause; they replied, the captain had desired them to lay down their arms. The Upper Iveagh had again fallen into their ranks at the foot of the lawn, fronting the house. Seeing me approaching upon the road, as I entered the ground, Captain John Reilly was marching his troop, and had actually formed on the right of the Upper Iveagh. I rode rapidly towards Captain Nicholson, upon the rising ground near his house, to learn the cause of the extraordinary and very unusual state of his corps, when I heard some shouts, and to my amazement beheld the troop of Iveagh infantry break their ranks. The cavalry charged up the hill in defiance of every exertion of the officers and myself. I succeeded in stopping the infantry, formed and marched off the greater part to a short distance on the road; on returning I found the cavalry conferring with the disarmed men before described, and warmly disposed to express similar sentiments. Captain Reilly was remonstrating with them on their shameful and unmilitary conduct, saying, that if they refused to obey, to give up their arms, &c. Encouraged by the example and expressions of some of the most violent, almost all laid down their arms. They remained in a state of mutiny for a long time. Every argument was used by Captain Reilly and myself, and also by several gentlemen present, to convince the men of the enormity of such behaviour,

behaviour, as an armed body; and the fatal consequences to the public service, as well as the great illiberality and impolicy of entertaining such sentiments and feelings for our Catholic fellow subjects; that great part of the navy and army was composed of such men; that his Majesty was pleased to accept and authorize the services of all his loyal subjects, and that it was their bounden duty to yield implicit obedience. At length, after much advice, and (I may add) entreaty from me, that they would reflect on their disgraceful behaviour, and atone for it in some degree by an immediate return to a state of order, they complied at my request (as they said), resumed their arms, and mounted their horses. Some, however, seemed to retain their prejudices, and wished to make stipulations not to parade with Catholics. Captain Reilly would not pledge himself to any such terms, thinking them inadmissible and inconsistent with his duty and opinion; and that he would not wish to command men who would hesitate to do their duty by co-operating with their fellow subjects in defence of their king and country. The troop finally marched off in order and silence, and were dismissed. Captain Reilly declared he would submit the proceedings in person to his Grace the Lord Lieutenant. The Upper Iveagh was brought into good order; and Captain William Reilly disarmed and dismissed on the spot one man, who was an active ringleader. The corps acquiesced in perfect silence. Almost all of the Ban became sorry for what had passed, and submitted to Captain Nicholson, who declared he was firmly determined to subdue such a spirit in his corps, and would permit no man in it who would disobey his orders. The remainder came to him next morning, and solicited him to restore their arms, professing (in my presence) obedience to his legal authority.

Captain John Reilly has gone to Dublin, and I have sent an account of the above proceeding to the Secretary at War.

I have, &c.

(signed) *J. Wallace*, M. B.

From Colonel *Gordon* to Sir *Edward Baker Littlehales*, Bart., &c. &c.

Commander Forces' Office, Dublin,

Sir, 18th October 1810.

I HAVE have had the honour to receive and to lay before the commander of the forces, your letter of the 22d ultimo, with copies of letters from Yeomanry Brigade-major Wallace and Captain Reilly, of the 2d Lower Iveagh cavalry, relative to the disorderly conduct of that troop, and of the Upper Iveagh and Ban infantry, on the 12th of September; and Major-General Campbell having been directed to send the inspecting field officer of yeomanry of the district to investigate particularly the circumstances of the case, I am now commanded by his lordship to enclose the Major-General's reply, covering Lieutenant-Colonel Hall's report thereon, for the information of his Grace the Lord-Lieutenant.

I have, &c.

(signed) *H. M. Gordon.*

From Major-General *Campbell* to Colonel *Gordon*, Military Secretary, &c. &c.

Sir, Clomagh, 16th October 1810.

IN reference to your letter of the 24th ult., I beg leave to acquaint you, for the information of the commander of the forces, that Lieutenant-Colonel Hall, inspecting field officer of yeomanry, was directed to inquire into and report on the disorderly conduct of the 2d Lower Iveagh cavalry, and of the Upper Iveagh and Ban corps of yeoman infantry; I have now the honour to transmit his report, and to return the several enclosures contained in your letter.

I have, &c.

(signed) *Arch. Campbell*, M. G.

From Lieutenant-Colonel *Cornwallis Hall* to Major-General *Campbell*, &c. &c.

Sir, Armagh, 14th October 1810.

IN obedience to orders, I proceeded to the place of array of the following corps: Upper Iveagh and Ban infantry, and 2d Lower Iveagh cavalry, to investigate into the cause of the disorderly conduct of said corps on the 12th September last. I expostulated with each corps on the impropriety of their behaviour, which they appeared to be sensible of and sorry for, as they declared it was only the impulse of the moment, and have promised in future to be steady and obedient to their officers.

On minutely inspecting the Ban corps, I found two men in it who had been principally concerned in the business, on which account I thought it prudent to take their arms from them, and have dismissed them from the service. Afterwards I formed the three corps in brigade, and exercised them together; and I beg leave to report, for his Grace the Lord Lieutenant's information, that they conducted themselves remarkably well, and have every reason to think they will continue to do so.

Much praise is due to Captain John Lushington Reilly, of the 2d troop of the Lower Iveagh cavalry, for his conduct and attention on this occasion.

I have, &c.

(signed) *W. Cornwallis Hall*,
Lieut.-Col. I. F. Officer of Yeomanry.

(B. 4.)
Army, Yeomanry, Militia and Police.

From Captain *Nicholson* to Sir *E. B. Littlehales*, Bart.

Sir, Banford, October 29, 1810.

I HAVE had the honour to receive your letter of the 22d inst., enclosing the report of Lieutenant-Colonel Hall, relative to the circumstances which occurred on the parade of the 2d Lower Iveagh cavalry and Upper Iveagh and Ban infantry, on the 12th of September last, and desiring my sentiments on the business, for his Grace the Lord-Lieutenant's information.

Upon the 12th of September, after I had ordered my corps (the Ban infantry) to lay down their arms upon their refusal to be exercised with Captain William Reilly's corps of Upper Iveagh infantry (in which were enrolled a few Roman Catholics), I did not suffer the men to resume their arms until they had expressed a due sense of the error they had committed, and their determination in future implicitly to obey every order issued as to parade or otherwise, without reference to the corps or its religion with which they might be directed to assemble. The two men whom I dismissed upon the day on which the corps were inspected by Lieutenant-Colonel Hall, had continued, notwithstanding, to evince sullen and refractory disposition; and I therefore consider it expedient to dismiss them as an example to the corps.

I have every reason to believe that that unfortunate spirit which displayed itself on the 12th ult. will not again produce any overt act of insubordination in the Ban corps collectively; and, if contrary to my expectation, it should break forth in any individual member, I am determined on subduing it by his immediate expulsion; being at no loss to fill up a vacancy in my ranks, as I have always a long supernumerary list for enrolment.

You will not, however, sir, be so much surprised at the unpleasant occurrence which took place on our parade, when you learn that a few years since, at a general inspection of the brigade of Lower Iveagh yeomanry, at Springfield, near Moira, by General Clepham, then commanding at Belfast, that general officer thought it advisable to inspect Captain William Reilly's corps, which had marched thither by orders separately and apart from the other corps of the brigade, in consequence of the temper which was found to pervade these other corps.

How far it may be judicious or politic to endeavour to subdue this spirit, which I apprehend still continues to operate in several of these corps, or whether it be practicable I am not prepared to say, this being a point upon which the officers commanding these corps are better qualified to give an opinion.

I am, &c.

(signed) *R. Jaffray Nicholson*,
Captain Com. Ban Infantry.

(B. 5.)

Appendix (B. 5.)

CORRESPONDENCE between Sir *Charles Asgill* and the Commander-in-Chief in Ireland, in the month of July 1811, relative to ORANGE PROCESSIONS at Letterkenny.

From Lieutenant-General Sir *Charles Asgill* to the Commander of the Forces, relative to party spirit at Letterkenny.

(Private.)

My dear General, Letterkenny, July 13th, 1811.

NOTWITHSTANDING everything went off well yesterday, and perfectly to the satisfaction of the gentlemen of this county, I am of opinion that nothing can exceed the violent spirit of party which exists, and the Catholics (awed by a military force) were obliged to become quiet spectators of the Orange processions; they were much irritated, and will certainly take the first opportunity of proceeding to some acts of violence. A Catholic regiment ought not on any account to be stationed in this county, as there are perpetual quarrels with the Orangemen and the Catholics; rest assured that they would take their parts rather than act against them, and nothing but the presence of the cavalry and 72d regiment prevented a most serious conflict. The gentlemen at the meeting requested me to mention to you privately, that they earnestly entreated you will cause the detachments from the Clare militia to be immediately relieved, and to supply their station with detachments from the 72d regiment, or from any garrison battalion; and I agree with them in thinking, that the presence of troops of the line would be of infinite service in the present situation of the country.

Believe me, &c.

(signed) *Charles Asgill*, Lt-Genl.

P. S.—It is also requested, that the 72d and the whole of the cavalry may be permitted to remain about ten days longer, or until the Clare detachments are relieved.

From Lieutenant-General Sir *Charles Asgill* to the Deputy Adjutant-General. (B. 5.)

Army, Yeomanry, Militia and Police.

Sir, Letterkenny, 2d July 1811.

I REQUEST you will acquaint Lieutenant-General Floyd that everything passed off quietly yesterday, and I have every reason to think I shall be enabled to make the same report of the 12th. The troops are all comfortably quartered, and the cavalry in tolerable good stables, and excellent forage. The commissary, Mr. Fince, has been most assiduous and attentive in providing the 72d with every thing requisite; the half brigade of artillery is stationed at present at Letterkenny, where I probably shall keep it. It does not appear to me to be necessary to attach the guns to the camp, as the horses would in that case be picketed and get out of condition, and it is not worth while for the short time they will remain. I mean to return this day to Londonderry, and I shall be here again on the 9th and remain till after the 12th, and if you should have any orders to transmit to me, I will thank you to address them to me, at Letterkenny, during those four days.

I have, &c.

(signed) *Charles Asgill*, Lt-General.

From the Deputy Adjutant-General to Lieutenant-General Sir *Charles Asgill*, relative to detachments of the Clare Militia to be relieved.

Adjutant-General's Office, Dublin,

Sir, 16th July 1811.

IN reference to your private letter to Lieutenant-General Floyd of the 13th instant, I am directed by the lieutenant-general to signify to you his approbation of such detachments of the Clare militia as you may deem expedient being relieved for the present by the 2d brigade 72d regiment. Lieutenant-General Floyd, however, trusts, that except those that have been stationed for revenue purposes, they will be but few in number, and as limited in point of strength as circumstances will admit.

You will be pleased to report to the quartermaster general the arrangement you make.

I have, &c.

(signed) *W. Raymond*, D. A. G.

Appendix (B. 6.) (B. 6.)

REPORT and CORRESPONDENCE respecting the RIOTS at KILKEEL on the 9th February 1814.

From Brigade-Major *Wallace* to the Right Honourable the Chief Secretary.

Sir, Belfast, 6th March 1814.

I HAD yesterday the honour of your letter of the 3d instant, with an inclosed extract of a Report from Alexander Stewart, esq., respecting certain outrages committed lately in Kilkeel.

You express the surprise of the Lord Lieutenant that no communication had been made by me to Government on this subject. I should not, most certainly, have neglected so important a part of my duty had it been in my power to describe or explain the circumstances that occurred there; but I can assure you, for the information of his Excellency, that I was totally ignorant of the affair, except from what appeared in the public prints; not a line was written me by any person in Mourne, and even yesterday I received a letter dated 4th instant from Lieutenant-Colonel Mathews, captain of the 2d Mourne infantry and a magistrate of the county, residing within a mile and a half of Kilkeel, in which letter there is no mention nor allusion whatever to the riotous proceedings in Kilkeel. A short time prior to that event I was there, and heard nothing more than the prevalence of party spirit that still subsisted.

I understand that the neighbouring magistrates have had several meetings on this business, that they have taken much pains to investigate it, and have taken many examinations against the rioters; and also, that the result would (by them) be reported to Government. With regard to the order for me to proceed forthwith to Kilkeel to investigate in what degree the yeomanry had been concerned in this shameful conduct, I think it proper to represent for the consideration of his Excellency that I had previously made arrangements with about 20 companies for inspection this week; it was to commence on Wednesday the 9th; on the 12th or 13th I was to return here; immediately after which I would proceed to Kilkeel to fulfil the orders of his Excellency. If it be, however, his pleasure to authorize me to omit that part of my duty for the more speedy performance of another, I am ready to implicitly obey. You will do me a great favour to answer this by return of post, which I shall receive on Tuesday the 8th, when I shall know how to act, and have time to despatch the necessary notices to such persons at Kilkeel as may best enable me to execute my orders.

I have, &c.

(signed) *B. Wallace*, M. B.

(B. 6.)
Army, Yeomanry, Militia and Police.

Extract of Letter from Mr. *Alexander Stewart*, relative to Disturbance at Kilkeel.

Down, Feb. 1814.

The Protestant party, many of whom were of the yeomanry, not content after the town of Kilkeel was cleared, and there was not any one to oppose or opposing them, began to destroy the houses in the town, and continued wrecking them till past ten that night, in the course of which they injured about 51 houses, of which 47 belonged to Catholics, broke all the windows, forced open the doors and emptied the beer and spirit casks in several Catholic public-houses. Shots were repeatedly fired by the wrecking party, both in the street and into the houses, and I believe there was one man slightly wounded. This is the whole of the transaction, and you may suppose that the ill blood between the parties has not been diminished thereby; indeed the district is in a lamentable state. Since the business happened I have taken every pains, assisted by my friend Mr. Irwin Corry, and now by Mr. Thompson, not only to investigate the conduct of both parties, but to impress on the minds of all that they shall have impartial justice, and that those who come forward as evidences shall be protected; and we are in hopes of bringing great numbers on both sides to trial, and I trust punishment You do me much honour in asking my opinion of the means most conducive to put an end to those disturbances, and to the best of my judgment I give it fully and candidly.

At present, the only thing I think necessary is to have at least a company sent as expeditiously as possible to Kilkeel. Nothing less will do to repress the turbulent, protect the peaceable and enable the magistrates to act with vigour, and you will oblige us all by sending the men as soon as possible.

We are now proceeding to hear the complaints of all parties, but it is to be hoped Government will send a person qualified to investigate the cause of these disturbances, which are so disgraceful and dangerous; for peace cannot be restored unless the evil is probed to the root, and in that case I much fear those disturbances will be traced to too great license given to the yeomanry, who are by no means in a good state, and to some persons residing in the district being too much influenced by and giving too much encouragement to party spirit. On this subject I feel much delicacy, and therefore wish Government to make the inquiry.

From Brigade-Major *Wallace* to the Right Honourable the Chief Secretary, relative to Riot at Kilkeel.

Sir, Belfast, 21st March 1814.

In consequence of your letter of the 3d instant, conveying the commands of his Excellency the Lord Lieutenant, I went to Kilkeel, where in presence of seven magistrates the outrages that had taken place in that town on the 9th February were discussed and investigated.

That a most violent religious party spirit exists, and has manifested itself in a manner disgraceful as dangerous to the public good, has been sufficiently proved, and that much blame attaches to both parties; yet in respect of this particular affray, it evidently appears that the Protestant party cannot be charged as aggressors in the first instance; it must however be admitted, that when it had actually commenced they were not averse to engage in and continue it. There is evidence to show that a riot was expected by certain persons, and that a disposition to mischief was apparent from a mysterious mode of conduct on the Catholic side, numbers of whom were seen assembled in the back yard of a public-house in Kilkeel, when liquor was distributed by a man in the midst of them; that they were shaking hands and conversing in Irish. It was also established, that the Protestant party had no arms at first, but when the others seemed to become most numerous, arms were sent for or brought by some who had heard of the riot; this gave their party the superiority, and the Catholics were finally dispersed. I am sorry now to be compelled by truth to say, that soon afterwards the conduct of the Protestants became most wanton, mischievous and unjustifiable; they attacked many houses of the Catholics in Kilkeel, which they damaged in some degree, but two in particular were most injured; they fired into them several shots, the marks of which I saw; most providentially no one was hurt in either, except the waiter, who was slightly wounded in the arm, the shot passing through a horn cup in his hand; the furniture, &c. was partly destroyed, and casks of spirits and beer were left flowing. Several of the yeomanry are no doubt guilty of these enormities; some of them have actually given bail to appear at Down assizes, and the magistrates think that almost every man implicated will do so also. Upwards of thirty examinations have been sent to Dublin for information of Government, and more still are taking. Indeed, I had the satisfaction to see several Catholics coming in to give bail and submit to the laws. Prior to all, however, the house of McKibben, a Protestant, was attacked by the Catholics and damaged; he fired a shot or two, by which, and some assistance from his friends, they were driven off. This man's house seems to have been the earliest object of attack; voices were calling out to go there and wreck it. It was assaulted about two years since, and one offender suffered twelve months' imprisonment; the Catholics beat and abused with sticks and stones several persons in the fair (when their party was predominant), who had taken no part in the original scuffle that caused the affray. I must here observe, that much credit is due to some of the magistrates for their exertions on this occasion; they have bestowed much time and patience in ascertaining the rioters of both sides, and by a strict impartiality to impress on the minds of all that every protection in their power will be afforded to such as may require it, and that the laws can never know distinction of party. The 1st Mourne is less implicated than

than the other two; some of them have been charged with firing on certain Catholics on the following evening, 10th February, about seven o'clock, within two miles of Kilkeel. They have surrendered and are in gaol, their offence not being thought bailable. A fish carrier and another man were slightly wounded, and one knocked down with a musket; this circumstance is more atrocious, as it did not proceed from the passions being inflamed by immediate riot; it does not appear there was any other cause than being Catholics. About 12 or 14 persons were observed on the road with arms. The magistrates seem to be of opinion, that as the whole matter will shortly appear before the county, the members of yeomanry corps principally guilty will be fully ascertained, and they think that the disgrace and expulsion of such will have a salutary effect on the rest, and repress this shameful and illegal spirit. The Catholics are anxious to get the yeomanry disarmed, as they then would be the strongest party; they are not altogether without arms, many pistols being (as I hear) in their possession.

The magistrates I allude to are Mr. Waring, Mr. Stewart, Mr. Corry and Mr. N. Thompson; they agree in the general report made by Alexander Stewart, esq., to Government.

I have, &c.

(signed) *B. Wallace*, M. B.

From Brigade Major *Wallace* to Sir *E. B. Littlehales*, Baronet.

Sir, Trissing, Belfast, 8th April 1814.

According to your letter of the 6th inst. relative to the trials at Downpatrick, I have the honour to report the result, as far as has come within my knowledge, for the information of his Excellency the Lord Lieutenant. The following persons were tried on Thursday 31st March, viz.

†Alexander Newall.	†Samuel Wilson.
†Samuel Floyd.	Robert Wilson.
†William Houston.	†Robert Newall.
†James Baillie.	†William M'Culloch.
William M'Comb.	William Annet.
† Sergeant James Sheals.	†Thomas M'Kee.

Note.—Those marked thus (†) were convicted. M'Comb, R. Wilson and Annet were acquitted. These are all yeomen, Newall excepted; he was formerly one.

1st April.—Serjeant Adam Boyd and John Boyd, yeomen, and William Beck, sub-constable and yeoman, were tried for suffering Alexander Newall, prisoner, to escape. Beck was convicted; the other two acquitted. William Cowan was charged with rioting, but did not appear at trial; he is a yeoman also.

2d April.—Robert Wilson, Alexander Wilson, Thomas Cummin, John Cummin, William Sloan, Thomas Morrison, William M'Cully, James Gordon, tried for firing shots Feb. 10, at seven o'clock, at certain persons on the high road: all acquitted, but ordered to give security for seven years. These men are or were yeomen lately.

I was not at Down assizes, not being summoned; and was besides confined to my room for a week from a hurt I got from my horse at that period.

I propose to inspect at Kilkeel on 24th inst. and should be anxious to receive his Excellency's pleasure before I leave Belfast on the 23d.

I have, &c.

(signed) *B. Wallace*, M. B.

From Sir *E. B. Littlehales* to Brigade Major *Wallace*.

Sir, Dublin Castle, 12th April 1814.

In consideration of the several authenticated reports which have reached Government, and of the precise information which transpired upon the recent trial of the rioters at Kilkeel, whereby it appears that Captain Matthews, of the Mourne yeomanry infantry, was present in the town of Kilkeel, at the commencement of the riot there, in which many members of the Mourne corps were actively engaged; but that Captain Matthews notwithstanding did not interfere, nor take any steps to preserve the public peace, by exerting his authority either in his capacity of a magistrate or as captain of the said company of Mourne infantry; the Lord Lieutenant deems it proper to mark his displeasure at Captain Matthews' neglect of the exercise of his functions for the public tranquillity, by dismissing him from the yeomanry service.

I am accordingly commanded by his Excellency to desire that you will forthwith notify to Captain Matthews this his Excellency's decision.

I am, &c.

E. B. Littlehales.

Memorial of Lieutenant-Colonel *Gustavus Matthews* for a Court of Inquiry into his conduct at Kilkeel.

To his Excellency *Charles* Viscount Lord *Whitworth*, Lord Lieutenant General and General Governor of Ireland:

Humbly sheweth,

That your memorialist was extremely agitated and mortified upon receiving from Brigade Major Wallace a copy of a letter of Sir Edward Littlehales', dated Dublin Castle, 12th inst.

 stating

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stating that it was your Excellency's desire your memorialist should be dismissed from the yeomanry service, in consequence of your Excellency's disapprobation of his conduct upon the riots in Kilkeel, 9th February last: your memorialist humbly requests that your Excellency will be pleased to order him a court of inquiry, before which tribunal your memorialist trusts that, upon a further investigation of all the particulars and facts connected with, and respecting his conduct in those transactions, he will be able to remove those unfavourable impressions which your Excellency at present entertains against him.

All which is humbly submitted,

Gustavus Matthews, Lieut.-Col. Army.

50, Summer-hill, Dublin, 21 April 1814.

Solicitor General's Report of transactions at Kilkeel as they appeared on the trial of the Rioters.

Dear Sir, 5, Ely Place, April 22, 1814.

My absence from Dublin has prevented my sooner replying to your letter of the 9th inst. in which you have communicated his Excellency's desire "that I should convey to you, for his Excellency's consideration, a summary of the information which I obtained in my judicial capacity on the trial of offenders charged with offences connected with disturbances which occurred in Kilkeel, in the month of February last;"—

I have the honour of informing you, in pursuance of his Excellency's order, that at the last assizes of Downpatrick, it appeared upon a trial before me, that on the 9th of February last, at the fair of Kilkeel, two persons, one a Protestant and one a Catholic, fought in the street, upon what appeared to be a sudden quarrel; that they were joined immediately by several others, and the battle became general; that the Catholic party, which was most numerous, drove the others out of the fair, who took refuge in the house of one M'Kibbin, permanent serjeant of the Mourne infantry yeomanry corps, of which all these persons except one, were members; that the Catholic party then attacked the house, broke the windows of it, and proceeded to unroof it by taking the slates off, when the Protestants within armed themselves, fired from the house, and sallied out upon those who were outside; that being armed and reinforced they beat the Catholics out of the fair, and after having done so attacked between 40 and 50 houses belonging to Roman Catholic inhabitants of Kilkeel, who did not appear to have been in the battle, fired into some, threw stones at others, threw the furniture and property in several into the street and destroyed them, and did considerable damage to all. It appeared that both parties manifested much wanton cruelty, and several were wounded, though no one was killed. Eighteen persons, 10 Catholic and 8 Protestants, have been found guilty of riots and assaults upon that occasion, and are now in prison under their sentences. It further appeared, that at the beginning of the riot Colonel Matthews, a magistrate of the county, who commands the yeomanry corps already mentioned, was in the house on private business as he swore, and near M'Kibbins' house, and that seeing the tumultuous state of the fair, he wished and offered, as he swore, to go into the town and exert his influence to put down the riot, but that he was dissuaded by M'Kibbin and one Shields, a serjeant in his corps (and one of those who was convicted), and by one Walmesley, a high constable, who all represented to him that his life would be in danger if he should interfere, in consequence of which he left the town without taking any step to quell the riot. It further appeared, that on the following day the country people flocked into Kilkeel in numbers to see what was called the wreck of Kilkeel; but no riot took place; and that as some of those persons were returning home in the evening, they were met by a party of 14 persons, armed with firelocks and bayonets, but not in regimentals, who without provocation fired on them, and wounded two men; eight persons were tried upon this charge, and were all acquitted. It further appeared that a warrant was issued against Alexander Newall, not a yeoman, the leader of the Protestant party in the riot of the 9th February, shortly after the riots, and that he was apprehended by Walmesley the high constable, who gave him the the care of one Bush and a petty constable, and three yeomen of Colonel Matthews' corps, of which Bush also was a member; that they brought him and one Hughes (a Catholic, who was apprehended for refusing to give evidence of the transaction) to Col. Matthews's house; that while Colonel Matthews was writing out a *mittimus* for the prisoners, who were then locked up in his kitchen, Newell made his escape, and on Colonel Matthews remonstrating with the constable and yeomen, they laughed at him. That Newell was never afterwards apprehended, though public in the country, for which Walmesley, the high constable, assigned as a reason that he was constantly armed; and that on the night before the assizes he gave himself up to abide his trial. Bush the constable, and the three yeomen, were indicted for permitting his escape, and the three yeomen were acquitted, but Bush was found guilty and is now in prison under his sentence. This is a summary of the only facts relating to the transaction at Kilkeel, which came to my knowledge in my judicial capacity at the late assizes for Downpatrick; and I have the honour to submit them to his Excellency's consideration.

I have, &c.

(signed) *Charles Bushe.*

From Brigade Major *Wallace* to Sir *E. B. Littlehales*, Baronet.

Sir, Belfast, 28th April 1814.

I had the honour of your letter of the 26th by yesterday's post; in reply I have to inform you that I only returned home from Mourne on the night of the 26th instant, and had not leisure to make the required report for the information of his Excellency the Lord Lieutenant until

until the present date. The 1st Mourne infantry had only four men implicated in the riot at Kilkeel on 9th February; two of them have left the country, and did not appear at trial; the other two appeared, but as the grand jury did not find bills against them there was, of course, no prosecution; they are, however, dismissed. No man of this corps was charged with the assaults committed on the 10th February. There were eight men of the 2d Mourne charged with the riot of the 9th: three of these are confined in Down gaol. Two fled from justice, one was acquitted, one was confined to his house by a fever, and against the other there was no prosecution. Two of the 2d Mourne were also tried for firing on the 10th February, and were acquitted: those ten have been all dismissed. Three men of the 3d corps were tried for the offence on the 10th February; they were acquitted. Five yeomen only have been charged with this offence, but some others were concerned in it, some of whom had formerly been yeomen. There were none of the 3d Mourne charged with the riot of the 9th. Three of this company are dismissed. I have not been able to learn as yet that any more yeomen were implicated; but if more should be discovered, I will enforce the Lord Lieutenant's commands. With regard to the discipline and constitution and efficiency of the respective corps and attention of their officers, I have to remark, that the 1st Mourne has always been well conducted. Captain Chesney is diligent and attentive; he is acquainted with military affairs, having served under the late Lord Cornwallis and Lord Moira, as an American loyalist. Two of his sons have been promoted by those noblemen, one in the Royal Artillery, the other in the East India service. His officers are as attentive as the subaltern officers of yeomanry are in general, and have some little property. The 2d corps would derive advantage from having a gentleman of some consideration and influence in the country at their head. I would recommend Mr. Needham Thompson; his father is agent to Lord Kilmoray, and is actually first captain of the 3d corps; but he is an old man; his son acts at times as agent, and probably will become so: both corps are tenants of Lord Kilmoray. Captain Warner, of the 2d corps, resides in Dublin, and I had never seen him but once until the 24th inst. when he came from Dublin at the desire of Lieut.-Col. Matthews, who was then there. At present there is only one lieutenant, a young man, well disposed and loyal. The second captain of the 3d Mourne is a well-disposed man, not healthy, and has no military turn. The two lieutenants are respectable; and were young Mr. Thompson first captain in lieu of his father, the corps would be more effective. The three permanent sergeants are men of fair character, two of them old soldiers; in fact the men of the three corps are all Protestants and loyal. Unfortunately their conduct was too much influenced by misguided zeal and loyalty. But I am of opinion they have now got a very salutary lesson, and will in future manifest more moderation. I have always thought those corps as prompt and fit to serve wherever called to, as any in the county.

I have, &c.

(signed) *B. W. Wallace*, M. B.

Appendix (B. 7.)

(B. 7.)

REPORT and CORRESPONDENCE respecting the Riots at *Lurgan* in May 1828.

Information of *John Ferguson*, Keeper of the Bridewell of Lurgan.

County of Armagh, to wit. } The information of John Ferguson, of Lurgan, keeper of the Bridewell in said town, taken upon oath before us, James Forde and William John Hancock, esquires, two of His Majesty's Justices of the Peace for said county.

Informant saith, that on Monday evening the 12th May instant, he received the custody of a number of prisoners charged with riot; saith, that on Tuesday morning William Johnston of Lurgan, publican, and George Douglass, the permanent serjeant of the Lurgan yeomanry, came to the Bridewell and advised the prisoners then in custody not to give bail, as they had committed no offence, to stand out, that he Johnston had plenty of money, and as long as it would stand, he would support them; saith, that Douglass came twice afterwards to the bridewell; and saith, that the most of the prisoners then in his custody would have given bail, only for the interference of the said William Johnston and George Douglass; saith, when the prisoners were handed to Captain O'Neill, to be transmitted to Armagh gaol, a mob of upwards of two hundred assembled; saith, there was a big drum, and a drum and fife; when the prisoners were marched off, the big drum was beaten by, or was in the custody of Alexander Pollock, of Lurgan; and the drum was beaten by a boy of the name of Mahaffey, who is son of the late permanent drummer, and the same that usually beats the drum for the yeomanry corps when on parade; the fife was played by William Cartwright, who is the fifer of the Lurgan yeomanry corps and a pensioner.

John Ferguson.

Taken, sworn and acknowledged before us this 23d May 1828. } *James Forde.* *William John Hancock.*

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County of Armagh, to wit. } I DO hereby require you to deliver into my custody the drums and fifes belonging to the Lurgan Yeomanry Corps, as certain drums have been illegally issued this night in Lurgan-street.

Signed on behalf of Charles Brownlow, esq.,
Captain Commandant Lurgan Corps.
William John Hancock.

To George Douglass,
Permanent Serjeant, Lurgan Yeomanry Corps,
12 May 1828.

From Brigade Major *Hamilton* to the Right Honourable *William Lamb*, &c. &c. &c.

Sir, Monaghan, May 23d, 1828.

I HEREWITH enclose an order from Captain Brownlow, of the Lurgan yeomanry to permanent Serjeant Douglass, to let the arms and accoutrements of that corps be taken into store forthwith

And also a requisition from Mr. Hancock, a magistrate of the county of Armagh, (lately appointed agent to Mr. Brownlow), to deliver the drums and fifes up to him on behalf of Mr. Brownlow.

This having been reported to me by Serjeant Douglass upon the 20th instant, I proceeded on the following day to Lurgan, in order to ascertain the cause of such summary proceedings, and was informed by Mr. Hancock that a most riotous mob had assembled at Lurgan on the 12th instant, marching through the town with drums and fifes, which induced him to read the Riot Act, and attempt to take the drums by force from the party, which was resisted, but without further violence than holding the drum fast, when seized by him and pulling it out of his hands. The church bell had been previously rung and colours hoisted on the tower.

Some shots had also been fired at a distance by unknown persons. Mr. Hancock had but seven police with him, yet made eleven prisoners, whom he detained in custody for that night, and marched them on the following morning to Portadown, five miles on the way to lodge them in the county gaol. Bail was however taken of them by a magistrate at Portadown.

Mr. Hancock read me the copy of a letter he had written to Captain Brownlow, stating those particulars in very strong terms, accompanied by an assertion, that it would be quite out of his power to preserve the peace of the country, unless the Lurgan Yeomanry were deprived of their arms, which must have been the cause of Captain Brownlow's hasty order to take up the arms and accoutrements of the corps.

I asked Mr. Hancock and Mr. Forde, also a magistrate, well acquainted with most individuals in that country, if they had observed on persons in the crowd (represented to amount to 500) with arms or yeomanry clothing, or if they had any cause to think that the procession of the 12th instant had been promoted or encouraged in any respect by the yeomanry; and whether they had since ascertained that there were any of the yeomanry present; upon which it was fully admitted that they had no cause whatever to think the yeomanry concerned more than other individuals generally in the country. I fully ascertained that the drums were not the property of the corps or any members of it. I have here to observe, it appears strange that notwithstanding first Lieutenant Cuppage resides within one mile of Lurgan, and was at home on the 12th instant, and that second Lieutenant Henry Cuppage, and third Lieutenant Green reside within a few hundred yards of Mr. Hancock's house, that those officers were not called on by Mr. Hancock for their assistance and influence in preserving the peace, or controlling the yeomanry, if he considered them engaged in the riot.

I have reason to believe that the assemblage at Lurgan on the 12th instant was occasioned by false information, sent there for the purpose of a hoax upon the dissenters, stating that they had been relieved in Parliament from the Corporation and Test Acts, which led to a display of colours and rejoicing by the procession and beating of drums complained of.

Mr. O'Neil, the chief constable of police, who was present during the whole affair, assured me he did not witness any appearance of riot, and told Mr. Hancock if he would let the party pass on quietly, that there would be no disturbance.

It was also represented to Mr. Hancock by some respectable inhabitants of Lurgan, that if he would not interfere they would be answerable for the preservation of the peace. The Rev. Mr. Kent, (curate of the parish), who was also present, assured me that he saw no appearance of riot until caused by Mr. Hancock's interference, and considered the procession, one of rejoicing, similar to many he had before witnessed there.

It is evident how highly the laws are respected in that country, when a riotously disposed party of 500 (as Mr. Hancock states) quietly submitted to have eleven of their body arrested in their presence, and confined in a very insecure place for an entire night by the hand of an individual, unsupported by any adequate force, or other influence than holding the commission of magistrate.

I have known permanent Serjeant Douglass to have the chief management of the Lurgan corps during the last ten years, and found him on all occasions a steady respectable man, and the corps at all times the most amenable, orderly, clean and regular of any district; they are idividually more independant, in point of property, than most other corps; and I am well assured would feel most seriously hurt at being deprived of their arms in a manner that might be considered disgraceful to them.

Finding that there is no secure place in Lurgan to store the arms, or any force there to guard them,

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them, I directed Serjeant Douglass to refrain from further proceeding under Captain Brownlow's order, in collecting the arms and accoutrements until I should have an opportunity of reporting the circumstance to his Excellency the Lord Lieutenant, and receiving orders thereon.

I have, &c.

T. H. Hamilton.

Immediate.—Mr. Greene's opinion is requested, whether a captain of a yeomanry corps can call in the arms of the corps on his own authority, without the previous approbation of the Lord Lieutenant?

I am not aware of any authority in the commanding officer to make this order, without the previous sanction of the Lord Lieutenant.—*Rich. W. Greene*, June 14, 1828.

From the Lord Lieutenant to *Charles Brownlow*, Esq.

My dear Sir, Phœnix Park, June 5th, 1828.

I SEND you letters and papers relative to the affair at Lurgan, and I will freely state the view I have taken of it.

It does not appear to me to be of sufficient consequence to render it adviseable to disarm your corps of yeomanry; and indeed it is not, I think, clearly made out that the members of it were prominent in the disturbance, or that the drums actually belonged to the corps; and when I observe that a very small party of policemen were enabled, in the presence of a mob stated to amount to 500, to take 11 men into custody and confine them during the night, I cannot think that the public peace was dangerously disturbed. There is, I believe, a doubt also whether you can of your own authority disarm the corps.

Under these impressions, I beg leave to suggest that probably the wisest course would be to cause an early muster of the corps, when they would of course receive their arms, which they should without further notice be allowed to retain.

If you enter into my view of the case, you will be so good to give the necessary directions upon the subject; but if you are of a different opinion, I will direct that some impartial barrister shall be sent to Lurgan to investigate more fully the occurrence.

I have, &c.

Anglesey.

From *William Gregory*, Esq. to Brigade Major *Hamilton*.

Sir, Dublin Castle, 25 June 1828.

HAVING laid before the Lord Lieutenant your letter dated the 23d ultimo, explanatory of the circumstances under which the arms and accoutrements, &c. belonging to the Lurgan yeomanry, were lately removed into store in pursuance of an order from Captain Brownlow of that corps, I am now directed to acquaint you in reply that his Excellency feels assured that the arrangements which have been since adopted upon this subject will prove satisfactory to the respective parties concerned.

I have, &c.

(signed) *W. Gregory.*

Appendix (B. 8.)

(B. 8)

REPORTS and CORRESPONDENCE relative to a MEETING of MAGISTRATES held at *Banbridge*, 14th December 1830.

From *W. Gregory*, Esq. to *N. C. Whyte*, Esq.

Sir, Dublin Castle, 16th December 1830.

I BEG to acknowledge the receipt of your letter of the 14th instant, communicating the result of the meeting of the magistrates which was held at Banbridge on that day, which I lost no time in submitting to the Lords Justices. Their excellencies desire me to acquaint you, that directions have been given for an entire troop of dragoons and a company of infantry to be sent to Banbridge, Gilford and Tanderagee, but that their excellencies do not consider it necessary at present to call out the yeomanry. With respect to a search for arms, I am to observe that if the magistrates have obtained information of the places where arms are concealed, upon the inclosed form being filled up, and signed by two magistrates, their excellencies warrants will be forwarded authorizing a search to be made, but their excellencies do not approve of a general search being made, as it is very seldom attended with any good effect without previous information.

I have, &c.,

(signed) *W. Gregory.*

From *N. C. Whyte*, Esq. to *W. Gregory*, Esq.

Sir, Loughbrickland, 19th December 1830.

I HAVE the honour to acquaint you for the information of His Majesty's Government, that the meeting which was apprehended would take place on yesterday at the Shaws Hill did not occur; the imposing force of military and police in the immediate neighbourhood, as well as the extensive circulation of the resolutions adopted by the magistrates at Banbridge on Tuesday last, has been the cause of preventing the meeting, and I have every reason

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to expect this part of the county will very soon be restored to its accustomed tranquillity. The magistrates and linen merchants residing in the immediate neighbourhood of Gilford, have requested me to apply through you to Government, that a subaltern's party should be stationed for the present at Tanderagee. I enclose you a copy of the resolutions adopted at the meeting of magistrates.

I have, &c.,

(signed) *Nich. Chas. Whyte.*

From *N. C. Whyte,* Esq. to *W. Gregory,* Esq.

Sir Loughbrickland, 14th Dec. 1830.

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, and beg to inform you a numerous meeting of the magistrates of this county and Armagh assembled at Banbridge to-day, when it was unanimously resolved, that immediate application should be made to Government to order half a troop of dragoons to be stationed at Banbridge, and one company of infantry to be divided between Gilford and Tanderagee, and to be sent to the above-named places before Saturday next the 18th instant, to remain there as long as it is thought necessary; they request that the company at present at Lurgan may be ordered for the present to remain there.

It was also proposed that I should apply to Government for authority to be given to the magistrates to search for arms and ammunition in their respective districts.

At the request of Lord Dufferin, I likewise have to inquire from you, if it should be deemed prudent to call out the yeomanry, how they are to be paid? I have no doubt but with the police, which Major D'Arcy has promised to have in readiness on Saturday, and the military, (should they be sent,) no breach of the peace will occur on that day, and that this part of the county will soon be restored to tranquillity. Mr. Maguire, a magistrate, who attended the meeting, will wait on you to-morrow and give you any further information you may require.

I have, &c.,

(signed) *Nich. Cha. Whyte.*

From Lord *Dufferin.*

My dear Sir, Ballyleidy, 15th December 1830.

AGREEABLE to the wishes expressed to me by the sheriff of the county of Down, of the magistrates of the borders of Down and Armagh, that I should attend the meeting proposed to be held by the sheriff and those magistrates, I had the honour of meeting them yesterday at Banbridge, when their motives of meeting being taken into consideration, as large bodies of the lower classes having assembled more than once upon notices posted up, with fictitious names to them, calling on the people to meet to assert their claims, that justice would be done them, these notices being drawn up in the most vulgar stile, and in some cases referring to individuals named in them as parties in oppression, of collecting rents, tithes, taxes, &c., alterations of boundaries of farms, and removing some small holders to make way for others, or to increase farms or holdings of lands, linen merchants reducing rates of wages, and calling on their workmen to attend by candle-light, the notices desiring those workmen to attend the meetings of the people, at their peril to disobey, and assuring them that their grievances and all others will be redressed by Thommy Downshire and his Flint; same notices informing the linen merchants if they disobey orders, their mills, machinery, &c. shall be destroyed. I presume before this, the resolutions have been transmitted to you by the sheriff of Down, requesting some military in aid of the constabulary, that you are also informed subscriptions have been entered into, to enable rewards to be offered, in hopes of finding out the agitators that have contrived to induce the assemblies of the people; also that hand-bills have been directed, quoting and reciting the Act of Parliament for discouraging such meetings, and I am sorry to say only one person has been got hold of yet. He was taken up in Lurgan by an active magistrate there, and has been sent to Armagh gaol.

I urged that I was surprised where yeomanry corps exist and are commanded by magistrates, that such business could go on for the time it has, and that I considered they might be employed at least to support the constabulary force, now increased in that district, to which it was replied by a magistrate, a yeoman officer, commanding a numerous corps, that he had inquired of the officers and non-commissioned officers of his corps, who advised against calling for their support on this occasion, as they could not depend on the men, to which I could not agree, as I had known instances of their behaving well, when led on by their officers.

I have taken the liberty to recommend to the sheriff of Down, to inquire from you, on the part of the meeting of yesterday, how yeomanry corps if called on, in emergency, are to be subsisted? and have also recommended he should apply for some of the last proclamations against improper meetings of bodies of people; I shall be much obliged by your desiring some to be sent to me to distribute; I have considered it my duty to the Government to offer to your consideration the above detail; I trust as the magistrates of the vicinity where the tumultuous meetings have taken place seem determined to use the force committed to them to put down the assemblages, that it may soon be effected, and the people may return to their industry and cease to disturb their peaceable neighbours.

I am, &c.,

(signed) *Dufferin.*

From *W. Gregory*, Esq. to Lord *Dufferin*.

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My dear Lord, Dublin, 20th December 1830.

I SUBMITTED to the Lords Justices your letter of the 15th instant, and am directed by their excellencies to thank you for the communication, and also for your co-operation and attendance at a meeting of magistrates lately convened by the high sheriff of the county of Down.

A letter has this day been received from the high sheriff of Down, that from the military and police arrangements no meeting, as was expected, took place on Saturday last at Shane Hill, and he has every expectation that tranquillity will be restored to that part of the country.

Believe me, &c.

(signed) *W. Gregory.*

From *W. John Hancock*, Esq. to *William Gregory*, Esq.

Sir, Lurgan, 16th Dec. 1830.

I HAD the honour of receiving your letter of the 13th, and in pursuance attended the meeting of magistrates in Banbridge, of which I am sure you have received a report, I fully concur in all the proceedings of that meeting, and shall do every thing in my power to aid the high sheriff of Down upon Saturday next. A very large meeting was held in this barony near to the residence of Lieut.-Colonel Blacker, he will, of course, very fully report this day's proceedings for the information of their excellencies the Lords Justices. My district has become tranquil, which I attribute to two causes, the presence of the military in this town, and the committal of Browne, M'Mullan and M'Dowell; the former for trial at Armagh assizes, for having the notices in his custody, with intention of posting them, under the 27 Geo. 3. c. 16. (the Riot Act.) The latter two for assaulting and opposing the constabulary police, for trial at Lurgan January sessions. I have this day taken bail of M'Mullan, himself in 50 *l.*, and two very responsible sureties in 25 *l.* each, for his appearance at the said sessions. M'Dowell has not been able to procure bail; he is the apprentice, and lived in the house with Browne; but the only charge against him is assaulting one of the constabulary.

I have to report to you, for the information of their excellencies the Lords Justices, that I have committed John M'Donald to Armagh, in default of bail, he being a stranger, and would give no satisfactory account of himself or where he lived. I have required him to give bail, himself in 10 *l.* and two sureties in 5 *l.* each, which he refused to give, and I committed him under the 50 Geo. 3, c. 102, s. 7, and I have now reported the committal for the information of their excellencies the Lords Justices.

I am, &c.

(signed) *Will. John Hancock,*

J. P. Armagh and Down.

MEETING OF MAGISTRATES.

£. 200. REWARD!

AT a meeting of the magistrates of the counties of Down and Armagh, convened by notice, and held at Banbridge, on Tuesday the 14th of December, 1830; Nicholas Charles Whyte, Esq. high-sheriff of the county of Down, in the chair.

The following Resolutions were unanimously agreed to:

That we have learned, with the deepest concern, that in one district of this hitherto loyal and peaceable neighbourhood, certain notices have been posted and meetings held, not only of a highly illegal description, but which, if persevered in, will ultimately destroy the public peace, and endanger the properties and even the lives of His Majesty's subjects.

That proceedings such as those demand that the powers entrusted to us individually, as justices of the peace, should be exercised with firmness and vigour; but, inasmuch as numbers may, from ignorance of the law, have been concerned in writing or posting such notices, and have attended at and taken a part in such meetings, we feel it our duty most earnestly, to direct the attention of all persons to the Act of Parliament (27 Geo. 3.) on this subject; which enacts that,—

"Any persons, to the number of twelve, or more, unlawfully, riotously or tumultuously assembled to the disturbance of the public peace, and who shall not disperse and depart on being thereunto commanded, in the King's name, by any justice or justices, sheriff, &c.

"Or who shall injure or threaten any person, or shall destroy or threaten to destroy the property of any person, in order to compel such person to enter into any such unlawful combination, or to prevent the collection of any lawful rates or taxes, or to prevent any person from giving evidence, or on account of any person having given evidence in any action or prosecution;

"Or who shall print, write, post, publish, circulate or deliver any notice, letter or message tending to excite any unlawful meeting, confederacy or combination;

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" Or who shall forcibly seize any arms or ammunition, or forcibly, or by threat or intimidation exact or levy from any person, any contribution in money or goods, or by threats, menace or insinuation, cause any arms, ammunition, money or goods to be delivered at any place or to any person, shall, on conviction, be adjudged guilty of felony, and shall suffer death without benefit of clergy!"

That having thus made known the heavy penalty of the law, as well for the purpose of operating as a solemn admonition and warning to the instigators of and ring-leaders in all such offences, as for informing those ignorant and deluded persons who may have been reluctantly forced, or otherwise induced, to participate in the same; we now declare that we are determined by every means in our power, to prevent the repetition and extension of all similar proceedings—proceedings which, tending as has been already observed) to public disorder and mischief, can alone end in the punishment of the individuals concerned and the ruin of their families.

That Government having placed at our disposal an all-sufficient civil and military force, we shall (if, after the above declaration, necessary) disperse and suppress any future meeting which may be attempted either in this immediate neighbourhood, or elsewhere, within the counties of Down and Armagh.

That in order the more effectually to bring to punishment all persons who may in future be concerned in the writing or circulating of any threatening notice or letter, or in attending any such illegal assemblage, or in committing any act of outrage or violence, we do hereby offer a reward of Two hundred Pounds, to any person who shall within six calendar months from this date, discover on and prosecute to conviction any person or persons concerned in the said offences; and the further sum of Fifty Pounds, for such private information as may lead to the discovery of any person or persons guilty of, or connected with, such illegal proceedings; and the name of the informant shall be kept secret, if required.

Nicholas Charles Whyte, high-sheriff, co. Down.
Dufferin, governor, co. Down.
Robert Ward.
Alexander Stewart.
Thomas Waring.
William Edmund Reilly.
Henry Hamilton.
Maxwell Close.
Smithson Corry.
John Moore.
Matthew Forde.
Roger Hall.
Henry Stewart, clerk.
Trevor Corry.
William Annesley, clerk.
William N. Thompson.
William John M'Gwire.
Arthur R. Read.
H. E. Boyd, clerk.
Michael Sampson, clerk.
Henderson Black.
Robert Martin.
Robert Wallace.
Conway Richard Dobbs.
Thomas G. Henry.
William John Hancock.
T. D'Arcy, insp.-gen. police.
Wheeler Barrington.
James George Waddell.
Robert Richard Tighe.
Charles Douglass.

Counties of Armagh and Down, to wit. } The informations of Christopher Armstong, taken before William John Hancock, esq. one of His Majesty's justices of the peace for the said counties.

Informant being duly sworn, deposeth and saith, that he was on duty in the town of Lurgan yesterday the 10th instant, as a sub-constable of police, saw a man whom informant believes had been pulling down rewards offered by said justices of the peace for any person found posting threatening notices; informant pursued the man, who calls himself John M'Donald, and took him into custody, and whilst bringing him before the magistrate, he, the said John M'Donald, made use of very violent language, to the following effect, viz. he called out to a man standing at the door of the court-house to inform the Killyman boys who was in custody, and they would soon come and release him; informant then brought him before the magistrate, and whilst under examination his conduct and manner were equally violent, refusing to tell where he belonged to, or where he came from, and refused to give bail or any satisfactory account of himself whatever.

Taken, sworn and acknowledged before me at Lurgan, this 11th Dec. 1830.

Will. John Hancock.

Informant bound in the sum of 50 *l.* sterling to appear at the next quarter sessions at Lurgan.

Christopher Armstrong.

Committed to Armagh in default of bail, himself in 10 *l.* and two sureties in 5 *l.* each.

W. J. H.

From Major *D'Arcy* to *William Gregory*, Esq.

Sir, Banbridge, Dec. 14, 1830.

By yesterday evening's post I had the honour of your letter of the 12th instant, directing me by command of the Lords Justices to attend a meeting of magistrates here this day, and

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and I have the honour to acquaint you for the information of their excellencies, that although labouring under illness with which I have been for some time indisposed, I felt it my duty to set out immediately and arrived here before the hour of their meeting this morning.

The high sheriff, Lord Dufferin, and about 20 other magistrates were present, and resolutions entered into, which will of course be forwarded to be laid before Government. I read to the meeting the orders I received, to afford the assistance of all the constabulary in my power, from this and other counties, and that in addition more troops would be sent into the district if necessary; and that for the preservation of the peace on Saturday next, when two of those meetings are expected to take place, I could with the military at Lurgan send five chief constables and sixty police to Shane Hill in this county (where the largest assemblage is expected), and three chief constables and fifty police to Tanderagee in the county Armagh. The force of police in the district now is considered sufficient, with the military assistance magistrates have agreed to apply for.

I am, &c.

T. D'Arcy.

I propose returning to my head-quarters to-morrow.

Meeting of the Magistrates of the Counties Down and Armagh, held at Banbridge the 14th Dec. 1820.

N. Chas. Whyte, High Sheriff, in the Chair.

Lord Dufferin, Governor, Down
Lieut.-col. Terell, Down.
Lieut.-col. Close, Down.
Major D'Arcy, Down.
Thomas Waring, Down.
John Moore, Armagh.
Trevor Corry, Armagh and Down.
Henry Hamilton, Down.
Roger Hall, Armagh and Down.
Wm. E. Reilly, Down.
Wm. J. M'Gwire, Down.
Henderson Black, Down.
Wm. Needham Thompson, Down and Armagh.
Thomas G. Henry, Down and Armagh.
Conway Richard Dobbs, Armagh.
Rev. Dr. Stuart, Armagh.
Rev. H. Elgin Boyd, Down.
Rev. Michael Scanpen, Down.
Rev. Wm. Annesley, Down.
Smithson Corry, Down.
Wm. John Hancock, Down and Armagh.
Richard Robert Tighe, Down.

From *W. Gregory*, Esq. to *N. C. Whyte*, Esq. High Sheriff, County Down.

Sir, Dublin Castle, December 1830.

I am directed by the Lords Justices to express their excellencies confident hope that at the meeting to be held at Banbridge on Tuesday the 14th instant, you and the magistrates of the counties of Down and Armagh, will adopt effectual measures for the suppression of those disgraceful proceedings which have lately occurred in those counties, and their excellencies desire me to acquaint you, that Major D'Arcy has been ordered to attend the meeting and afford all the assistance of the police that may be required, and if the meeting shall consider it necessary, directions will be given for sending additional troops into the country.

I have, &c.

(signed) *W. Gregory.*

County of Down.—COPIES of all Inquisitions taken by the Coroner, together with the evidence produced at said Inquisition, held on view of the bodies of four men drowned in the River Bann, at or near Tullyorier, in said county, on the 12th July 1831, together with the inquisition held and evidence produced, &c. &c. &c.

County of Down, to wit. } An inquisition indented taken in the townland of Tullyorier, parish of Gariaghy, barony of Upper Iveagh and county of Down, this 13th day of July in the year of our Lord 1831, and in the first year of the reign of our sovereign Lord King William the Fourth, before me, George Tyrrell, M. D. one of His Majesty's coroners for said county on view of the body of Patrick Macken, which is lying dead in said townland.

On the oaths of

James Charles Mulligan, junior,
Thomas Crawford,
John Crawford Mulligan,
Robert Dick,
William Anderson,
Joseph Mulligan,
Daniel M'Mullan,
Edward Collins,
Peter M'Nerney,
Bernard M'Neill,
John Byrne,
Bryan Campbell,

who are twelve good and lawful men of said county, who being duly sworn on the Holy

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Evangelist to inquire and find on the part of our said sovereign Lord the King when, where and after what manner the aforesaid deceased Patrick Macken has come by his death, do say the said Patrick Macken died from having been drowned in that part of the River Bann which runs through the townland of Tullyorier, in this county, on the 12th day of July instant, into which he had ran, with the intention of crossing to the other side, being pursued by two men, named Gilbert Logan and Robert Logan, a fight or riot at the same time existing: In witness whereof, together with the coroner, we have signed our names and affixed our seals, this 14th day of July, in the year 1831.

[Here follow said jurors' and coroner's signatures and seals.]

There were three other inquisitions and findings on the bodies of Bernard M'Lenan, Peter Farrell and Peter Byrnes, precisely similar to that on the body of Patrick Macken.

Depositions on the Inquest held in Tullyorier, on the bodies of Peter Farrell, Peter Byrnes, Patrick Macken and Bernard M'Lenan, July 14th, 1831.

Denis Timothy Murphy, of Banbridge, excise officer:—Was in Tullyorier, about the hour of two o'clock, P. M. on the 12th day of July; saw a number of persons standing on the road; understood their object was to prevent the Orangemen walking on that day; deponent advised the people to disperse, that their intention was folly; thought they would have dispersed; several of them had fire and side-arms; knew none of the party; the party told deponent they had got a challenge from the Orangemen, and they would hinder them going that way, if they could.

Bernard Magee, of Tullyorier, farmer, sworn:—Lives in Tullyorier; saw the deceased persons; knew Peter Farrell and Bernard M'Lenan, and saw two others lying dead on the edge of the River Bann, running through Tullyorier; they had been taken out of the river on that morning, Wednesday the 13th day of July; saw those persons now dead running to that part of the river from which they were taken out, about the hour of seven o'clock on the evening before, and run into it; thinks the reason they had for running to the river was for the purpose of saving their lives, by getting across it; saw two persons running after them, as deponent supposed chasing them; deponent cannot of himself tell the names of those persons in pursuit, but heard some others whom he believed to belong to their party name them; Gilly Logan and Robert Logan, each of those persons had a gun; saw Gilly Logan fire a shot at the four dead persons as they were going into the river, the distance between the parties at the time was about 18 or 20 perches; the Logans then returned to their party, and heard the man he heard called Gilly Logan throw up his hat and say, there was one kiln-cant gone; there was convenient in deponent's father's land a number of persons belonging to the Logans' party, about 20, who had fire-arms; those two Logans emanated from their party and returned to them, when after the dead persons ran into the river.

Bernard M'Linden:—Saw a number of men, about a dozen, running to the River Bann on the evening of the 12th of July pursued by a number of persons whom deponent believes to be Orangemen; each party had arms; one of the pursuers deponent swears to be Gilly Logan; he had a sash on him; heard a challenge was given by the Orangemen to the thrashers to fight on that day; saw Gilly Logan fire at those persons he was pursuing, two shots.

Rose Flanigan:—Saw the dead bodies of Peter Farrell, Peter Byrnes, Patrick Macken and Bernard M'Lenan; saw two of them living on the 12th of July, standing on the road; the names of those two is Farrell and M'Lenan; saw those two with many others running to the river on Tuesday evening, their number was about twelve; saw the party run into the river, and saw five drawn out safe; saw this party pursued by two persons, one of whom had a gun; saw three shots fired at the persons in the river by the man who had the gun; heard much firing on that day; don't know the name of the man who fired the three shots; saw the dead bodies taken from the river.

James Kelly, of Banbridge, shuttlemaker, sworn:—Deponent was spending the day of the 12th of July in the neighbourhood of Tullyorier; heard an engagement was to take place on that day between the Orangemen, who were to travel that road through Tullyorier; heard that the Roman Catholics were prepared for them; saw the two parties near to each other, and saw the first attack made by the Catholics. The engagement took place about six o'clock P. M.; the Catholics were assembled from three o'clock, and waited for the arrival of the Orangemen; saw fire-arms in the hands of both parties; the conflict lasted till nearly nine o'clock; thinks there was 300 or 400 shots fired; there was no music playing about the time the engagement took place.

Michael Hook, of Corbett, farmer, sworn:—Deponent corroborates the testimony of the former witness.

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James Martin, of Corbett, farmer, sworn:—Deponent saw the engagement on Tuesday, the 12th of July; saw a large party of men on the road on that day, walking up and down; they had about 49 stand of arms; saw them go to the place of the engagement about six o'clock; knew none of them, they appeared strangers; was on a hill a short distance from them.

Robert Dempster, of Castlevenan, sworn:—Deponent lives in Castlevenan, adjoining Tullyorier; saw a large party of persons in Tullyorier on the 12th of July, about six o'clock P. M.; saw this party run to meet the Orangemen, who were proceeding that way; saw both parties, was a short distance from them; the party which deponent thinks were Romans fired first, from behind the ditch where they were lying; their fire was about four shots; then the Orangemen fired one or two; saw one man who had a gun, and saw him fire it; his name is —— M'Nerney; he lives in Tullyorier; he is a Roman Catholic.

County Down, to wit. } An inquisition indented, taken in the townland of Tullyorier, barony of Upper Iveagh and county Down, this 20th day of July, in the year of our Lord 1831, and in the first year of the reign of our Sovereign Lord King William the Fourth, before me, George Tyrrell, M. D., one of His Majesty's coroners for said county, on view of the body of Rose Strain, which is there lying dead.

On the oaths of

George Crawford,	John M'Linan,
Francis Mulligan,	Michael Magiverin,
William Robinson,	James Darah,
William M'Alindan,	Michael Gribben,
William Anderson,	James Magee,
Francis Magee,	Patrick Laughlin,

who are twelve good and lawful men of said county, who being duly sworn on the Holy Evangelist, to inquire and find, on the part of our said Sovereign Lord the King, when, where and after what manner the aforesaid deceased, Rose Strain, has come by her death; do say the deceased now presented to them died the 20th day of July instant, in the townland of Tullyorier, in said county, from a gun-shot wound, which penetrated through her thigh on the 12th day of July instant, which shot pierced through the window of the house she was then in, a fight or riot then existing about said house, but by whom said shot was fired is unknown. In witness whereof, together with the coroner, we have signed our names and affixed our seals, this 20th day of July, in the year of our Lord 1831.

[Here follow said jurors' and coroner's signatures and seals.]

Depositions taken at an Inquest held on the body of Rose Strain, July 20th, 1831, at Tullyorier.

Rose Strain, of Tullyorier, Spinster:—Deponent remembers the 12th of July; there was a riot or fight, as she heard, between the Orangemen and Romans on that day; there was a great number on the road, she closed the door that none might get in; her mother was in the bed-room, and she in the kitchen; there was no other in the house but one Michael Loughanin, who had ran in for safety; heard many shots fired, much noise, rapping at the door to get in; heard her mother call out she was shot; on examining found she was so, in the thigh; a bullet came through the window, which deponent believes to be the one which struck her; cannot say who fired said shot, or any shots; her mother died on this day, the 20th of July.

Stitt M'Clelland, of Banbridge, Surgeon, sworn:—Deponent has examined the wound on Rose Strain, the deceased; found her thigh greatly fractured; thinks it was by a gun-shot, the bullet had passed through the thigh; thinks her death to be occasioned by it.

I certify that the foregoing are true copies of the inquisitions taken by the coroner, together with the evidence produced at said inquisitions held on a view of the bodies of four men, drowned in the River Bann, at or near Tullyorier, in the county of Down, on the 12th July 1831; and also on the view of the body of widow Strain, who was shot on said day, at or near Tullyorier, in said county.

25th June 1835. *C. Macartney*, Clk. of Crown.

Appendix (B. 9.)

(B. 9.)
Army, Yeomanry, Militia and Police.

REPORTS and PAPERS respecting the Conduct of the LURGAN YEOMANRY and of Permanent Sergeant *George Douglass*; with the Documents produced during the Investigation held at *Lurgan*, 18 January 1831.

Sir, Rosstrevor, 1 January 1831.

I HAVE the honour to report that on the 22d of last month, when making my inspection of the Ballyleidy yeomanry, at Ballyleidy-house, I was informed by Lord Viscount Dufferin, that, at a meeting of magistrates which had taken place at Banbridge, a short time previous, Captain Hancock (second captain of the Lurgan yeomanry, and a justice of the peace for the county of Armagh,) had stated at that meeting that he could not depend upon the Lurgan yeomanry if they were called upon to act against the rioters.

I therefore conceived it my duty to demand from Captain Hancock his reasons for such an assertion; and on the following morning (the 23d ult.), previous to my inspection, I had a conversation with him (Captain Hancock), and told him that as I intended reporting the circumstance, for the information of the Lord Lieutenant, I was of opinion that it would be desirable that he should give me a written detailed report on the subject, which he promised to do.

Not having received his report, I wrote to him on the 28th ultimo, requesting to be furnished with it, and yesterday received his reply, in which he says, "I had the honour of receiving your letter this morning; my report would have gone upon Monday, but Mr. Perrin, King's counsel, arrived here by order of His Majesty's Government, to investigate the outrages of Maghery, 22d November last. I have been ordered to attend. I shall send the report by to-morrow's post."

I think it right to mention these circumstances as my reason for not having sooner made my report on the subject.

This post brought Captain Hancock's letter, as also copies of a letter to the Lord Lieutenant, extracts from a letter to the Lord Chancellor, and a copy of an affidavit of Hugh Conolly, a private of the Lurgan yeomanry, all of which I here transmit.

I have, &c.

To the Right Hon. the Chief Secretary. *Robert Power*, Major of Brigade.

Sir, Lurgan, 31 December 1830.

HAVING been called upon by you to explain a statement made by my Lord Dufferin, relative to the state of the Lurgan yeomanry corps,--

I shall, in the first place, state precisely what took place at the meeting of magistrates of Armagh and Down, at Banbridge, on Tuesday the 14th instant. Amongst other propositions submitted to the consideration of the magistrates, was one by my Lord Dufferin, that the sheriff should be directed to inquire from His Majesty Government, what power he or any of the magistrates had to call upon the yeomanry in cases of riot. I immediately stated that I had taken the opinion of the officers of my corps, and that they were of opinion it would not be prudent to call upon the corps, and that some of the men might not be inclined to act against the Shane-hill rioters.

I also stated that I had called upon the sergeants of the corps, and two of them had stated it was a duty they would not like to act in; but it was also stated, if I gave a peremptory order, many of the corps would march, but that others would not.

Such, Sir, was the communication I made to the magistrates. My Lord Dufferin stated he had no doubt his corps would act; and many other officers of yeomanry stated they had no doubt their corps would act if called upon, but I am afraid many of the gentlemen have not watched as carefully and attentively the origin, nature and extent of the Shane-hill meetings, as it has become my duty to do. However, that is foreign to my present purpose; and I shall confine myself to an explanation of the state of the Lurgan yeomanry corps.

I had the honour of receiving a commission as captain in the corps, dated the 17th July 1829. I almost immediately upon my appointment wrote to the Chief Secretary for a muster-roll of the corps, and I was directed to apply to the permanent sergeant, George Douglass. I did so apply, and after a great deal of delay, I received a list of names of the corps, without any date of appointment or enrolment, amounting to 203. I also very lately got possession of the orderly-book of the corps, and I then found the corps had been upon permanent duty in the year 1821, and that all the men then on duty had been regularly enrolled and duly attested. I also found an order, dated Dundalk, 27th September 1818, and signed Alexander Armstrong, col. brigade-major, directing that no vacancy should be filled up until the establishment should be reduced to 100 rank and file. As to the conduct

of

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of the permanent sergeant, George Douglass, I beg to send you a copy of a letter I wrote to his Excellency Lord Anglesea in June 1828, and also extracts from a letter to the Lord High Chancellor.

With respect to the muster-roll and pay-lists of the permanent sergeant, I conceive his conduct to be highly improper. Upon the roll returned to me is the name John Bridget of Bleary, and the man who answers is David Campbell of Bleary, the latter having received Bridget's arms two years ago. I also find upon the roll the name Peter M'Kean, Tollygally; the man who answers is Caster Corner of Moyraverty. Hugh Conolly swears there is due to him five days pay; I send you a copy of the information he has sworn. The acting permanent drummer reports to me that he cannot find any person of the name of John Morgan of Knockraware, though his name is returned twice upon the roll, once as number 176, and again 191; nor can the drummer find any James Hamilton of Lurgan, a member of the corps, though his name is returned, No. 46, upon the roll. The arms have been transferred by the permanent sergeant alone; none of the officers were consulted; nor have the men to whom the arms have been so irregularly transferred ever been attested, or taken the oath of allegiance, though their names have been regularly returned upon the pay-lists, and pay received for them; some have had their name upon the pay-list for four years, though a gun was never given to them.

Under these circumstances, with a number of raw undisciplined recruits, never attested, never having fired one round of ball cartridge, knowing nothing of military movements or discipline, so necessary upon such occasions, was I to rely upon such a force, putting out of the question the feeling some of the party had with the Tommy Downshire outrages? One man, William M'Mullan, No. 189, stands charged with opposing the police in the execution of a warrant to take down illegal notices, and using expressions, saying at the head of a large mob, "We have plenty of arms and ammunition, and can use them as well as you." I instantly had M'Mullan arrested, and held to bail for trial at next Lurgan sessions, and took his arms, &c. from him, and struck his name off the roll of the corps.

The remedy for many of these evils is perfectly obvious; one I adopted the last inspection, which was, I paid each man his day's pay upon parade. Another would be to reduce the number of men on the roll of the corps to that ordered upon permanent pay in 1821, viz. seven sergeants, one drummer, and 150 rank and file.

I may also state that I could form a most capital corps of yeomanry, which might be of essential use to His Majesty's service, provided I had a correct and active permanent sergeant, and a proper store for the arms of the men, where they could be repaired, cleaned and kept in good order, to be used only upon such occasions as the officers of the corps, the sheriff or magistrates, should think proper to avail themselves of the assistance of the corps.

I have, &c.

Major Power, &c. &c. *William John Hancock.*

Sir, Dublin Castle, 4 January 1831.

I HAVE it in command from the Lord Lieutenant to forward herewith a copy of a letter dated the 1st instant, with its enclosures, from Brigade-major Power, regarding certain irregularities alleged to prevail in the Lurgan corps of yeomanry, and involving the conduct of the permanent sergeant; and to observe, that his Excellency considers it extremely desirable that the circumstances represented in these documents should be inquired into and reported upon by the general officer employed on the intended inspection of the Lurgan corps. His Excellency desires me, therefore, to express his wish that you will be pleased to convey the necessary instructions upon the subject to the general officer concerned, in order that the case referred to may be fully investigated, in conjunction with the brigade-major of the district, to whom directions have been given for attending on the occasion. I am at the same time to suggest, in the event of its being impracticable on the part of the general officer to undertake the present inquiry, that a field-officer or other competent staff-officer should be deputed to the purpose.

It is requested that the accompanying papers may be returned.

I have, &c.

Lieut.-Gen. Sir John Byng, G.C.H. (signed) *E. G. Stanley.*

Sir, Dublin Castle, 4 January 1831.

I HAVE received and laid before the Lord Lieutenant your letter of the 1st instant, covering a communication, with its enclosure, from Captain Hancock, respecting certain irregularities alleged to exist in the Lurgan corps of yeomanry, and involving the conduct of the permanent sergeant; and in answer, I am to acquaint you, that his Excellency has deemed it proper to forward the reports in question to the Lieutenant-general commanding, in order that the circumstances therein represented may be fully inquired into by the general officer employed upon the intended inspection of that corps, or by such field or other staff-officer as the Lieutenant-general commanding shall depute for the purpose. It is therefore his Excellency's desire that you will attend the proposed investigation, and give every assistance necessary on the occasion.

I have, &c.

Brigade-major Power, Rostrevor. (signed) *E. G. Stanley.*

(B. 9.)
Army, Yeomanry, Militia and Police.

1 January.
19 January.

Sir, Royal Hospital, Dublin, 20 January 1831.

In returning as requested the enclosures of your letter of the 4th instant, relative to certain irregularities alleged to prevail in the Lurgan corps of yeomanry, and involving the conduct of the permanent sergeant; I have the honour at the same time to transmit, for the information of his Excellency the Lord Lieutenant, a letter from Lieutenant-colonel the Hon. H. B. Molyneux, 67th regiment (the officer deputed by Major-general M'Donnell to investigate the matter), reporting the result of his inquiries, accompanied by the minutes of evidence taken on the subject, together with other explanatory documents.

I have, &c.

Right Hon. E. G. Stanley. (signed) *John Byng*, Lieut.-Gen.

Sir, Newry, 19 January 1831.

In transmitting to you the enclosed minutes of the investigation I yesterday held at Lurgan, and other papers alluded to therein, I have to submit the following observations for the consideration of the Lieutenant-general commanding. I found it impossible to receive the necessary information and state it in any regular continued form of evidence, and therefore have only put down such statements, applicable to the circumstances stated in Mr. Hancock's letter, as were to be collected from the individuals, as they came out in a difficult examination.

With reference to the first statement of his want of proper dependence on the corps, in the event of their being called out to the Shane's-hill meetings, it appears, from the evidence of the officers and two sergeants, that he was perfectly justified in not feeling that confidence that ought to exist.

Marked (J.) With respect to the muster-roll handed to Mr. Hancock by the permanent sergeant, it appears such a one as he had been in the habit of keeping, but he does not pretend to vouch for the correctness of it.

With respect to the orderly-book (which was produced), it was stated to have been generally kept in the hands of Sergeant Dugan, who appears to have kept it very neatly, as kind of hobby; but Sergeant Douglass never paid any attention to it by his own acknowledgment.

With regard to the circumstances contained in Mr. Hancock's letter of the 1st June 1828, it was impossible to come to any proper understanding on the subject, as in that, as well as in the other cases, the sergeant appears to have acted sometimes on his own responsibility, sometimes by the order of the brigade-major, and by the instigation of many different people; at other times, he appears to have considered himself authorized to act at his own discretion, and was not under the immediate command of any commanding officer.

With respect to the muster-rolls and pay-lists of the permanent sergeant, the evidence of the drummer's affidavit, and his own acknowledgment, will prove their incorrectness.

The case of Hugh Conolly is explained in the minutes; he appears a foolish, stubborn sort of fellow, and it is very probable that he had not been at the parades in time to qualify himself for the pay; but the sergeant does not pretend to know, and is to pay him the remaining two days.

With regard to the names of Morgan and Hamilton, there is no means of ascertaining to what extent this species of false muster has been carried.

Neither does he deny that the arms have been transferred from one to another, even without his knowledge. One man was also produced, who stated he had been four years in the corps without ever having a firelock.

Marked (K.) The case of M'Mullan is sufficiently substantiated in the affidavit of C. Hall.

From what I have collected from the different statements and documents, and from what I have seen of Permanent Sergeant Douglass, I am of opinion that he is a very unfit person to hold his present situation. I should not say that he has been doing these things with any fraudulent intention, but he has been acting a number of years without any responsibility, being totally ignorant of all Yeomanry Acts of Parliament or regulations, and having no books or vouchers to show of any kind. He appears generally to have neglected the detail of his duty, delegating his authority to the other sergeant in many instances, and at other times acting in the most irregular and irresponsible manner without consulting any officer of the corps. He professes himself to be very willing to obey the orders of Mr. Hancock, but he appears an independent and wilful old fellow, and from his length of service, and manner, (I have every reason to suspect, connected with the idea I believe generally entertained by the violent Orangemen of the neighbourhood, that Mr. Hancock is little better than a rebel,) would be disposed to consider Mr. Hancock more as an intruder, than a leader under whom he would serve with zeal.

I was told confidentially by a person who was not examined on the business, that the men of the Lurgan corps were as well disposed a corps as any other, but that they would not obey a rebel as they would those whose loyalty they depended on. Whatever their dispositions may be, a corps organized on such an irregular footing, could not be depended on by any one, rebel or Orangeman; in my opinion, Mr. Hancock seems to be very anxious to have an effective corps, and he states that he could, on the estate of Mr. Brownlow, raise a most efficient one in every respect. He states that he would not at this moment admit Catholics, but that he personally should have equal dependence on Catholics and Protestants on Mr. Brownlow's estate, of which he conceives he has unlimited influence; and as a

proof

proof, he states that about one-third are Catholics, and that on the tribute Sunday, not one farthing was subscribed by a tenant on that estate; indeed, I believe, that were all property managed with the spirit, judgment and activity that he exercises, Tommy Downshire would not exist, and O'Connell might agitate in vain. Mr. Hancock has three apparently efficient officers in his corps, two of whom are Orangemen, which proves that he is not distrusted even by some of them.

There appears little more to be said on the subject of this investigation, the result of which is, in my opinion, that the corps has been conducted in a most improper manner; that Mr. Hancock is anxious, and has the power of raising a more efficient one, and that he will not be able to do so, without this old sergeant, who would not probably do his duty properly without difficulty, were removed.

I have, &c.,
H. B. Molyneux.

MINUTES of an Investigation held at Lurgan, by Lieutenant-Col. the Hon. *H. Molyneux*, 67th Regiment, touching the Statements made in the Letters of Mr. *Hancock*, on the Subject of the Lurgan Corps of Yeomanry.

January 18, 1831.

Statement of First-Lieut. Cuppage.

First-lieutenant Thomas Cuppage, of the Lurgan corps, resides on Mr. Brownlow's estate; he has been 10 years in the corps. That at the period of the Shane-hill meetings, he had considerable doubt whether the men would all act against persons attending such meeting, from a conviction that both Protestants and Catholics were in league for the system of lowering rents and tithes. On any other subject of commotion he would have no doubt of their acting; on the contrary, they might require restraint, in their over-zeal in the Orange cause. He expressed his doubts to Mr. Hancock as above; but was rather of opinion that the corps should be called out to put their feelings to a test. His dependence on the men was also diminished by individuals being introduced into the corps with whom he was not acquainted. Individuals have been borne on the strength of the corps, with whom the officers have no personal knowledge, and consequently cannot place dependence on such men.

On the resignation of Mr. M'Veagh, in the command of the corps, Mr. Cuppage was the senior officer, until the appointment of Mr. Hancock; and during that period, numbers were admitted by the sergeant without his being consulted. During the command of Captain M'Veagh, he (Captain M'Veagh) was consulted on the admission of every man.

Statement of Sub-Lieut. H. Cuppage.

Sub-lieutenant Henry Cuppage, cousin of the former evidence, has been about 10 years in this corps, resides in the town of Lurgan; at the period of the Shane's-hill meetings, he gave it as his opinion that the whole of the corps could not be depended on to act against persons attending those meetings, when the question was the reduction of rents and tithes.

Is of opinion that their loyalty might be depended on in any political question unconnected with the above immediate subject.

Would not have confidence in a corps raised in this neighbourhood, composed equally of Catholics and Protestants; does not think that without unanimity in this point, they would be efficient.

Statement of Mr. James Green, Sub-Lieut.

Mr. James Green, sub-lieutenant, has resided in Lurgan till within the last two years; has been nine years in the corps, and states that he has attended more to them than any officer at present in it.

Is of opinion that there are individuals in the corps who would not willingly have acted against the persons attending the Shane's-hill meetings, the question being the reduction of rents and tithes; on any other question of politics, they would be unanimous, and would march to a man against any body raising the question of the repeal of the Union.

He thinks he could have no hesitation in placing his dependence on a body of yeomanry raised in this neighbourhood, composed of mixed Catholics and Protestants; but is not of opinion that such a system would work well.

Statement of Sergeant Turkington.

Sergeant Turkington, of the Lurgan corps, states that he has been 24 years in the corps; that at the time of the Shane's-hill meeting, he gave it as his opinion, to Mr. Hancock, that there were in the corps individuals who would not willingly act against the persons attending those meetings, the subject of them being the reduction of rents and tithes, particularly the former; as they probably had connexions attending those meetings.

Thinks confidently, that putting the above question aside, they would volunteer their services, and act to the best of their power for the peace of the country, and the support of lawful government, and that he has always been well acquainted with the individuals of the corps.

Men mustering by false names.

Has known instances of new members of the corps being mustered by the name of individuals to whose vacancy they succeeded; the new members have generally been admitted at the approbation of the sergeants assembled together. Such has been the custom, even in Captain M'Veagh's time, as the sergeants were supposed to know the people of the country best. Has heard that there was an order to reduce the corps, but it was not attended to, as they wished to keep the corps strong. Does not think that the men going by other names was to secure their being admitted into the corps; has known men answer

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to other names for two musters. A man of the name of Caster Corner has been at least a year and a half, but has never heard his name called.

Thinks that the mode of paying the men at the muster procures a better attendance, and is liable to less disputes afterwards.

Statement of Sergeant Dugan.

Sergeant John Dugan has been in the corps since 1796; and states that he gave an opinion to Mr. Hancock at the time of the Shane's-hill meetings, to the same effect as Sergeant Turkington.

Does not know of any men (new members) being mustered by the names of those to whose vacancy they succeeded.

Statement of Sergeant Douglass.

Sergeant Douglass, 34 years permanent sergeant of the corps, being called in:

The letter of Mr. Hancock, dated Lurgan, 13th January 1831, marked (A), is produced, as well as his answer, marked (B). With respect to his answer to the first paragraph (A) of the requisition, it appears that he did not produce the roll, making the distinctions as he states, but one marked (C); and says that it was his intention to have made the necessary inquiries on this day's parade, which there was not time to do.

He states that it has been his constant practice to muster the men without knowing whether they were attested or not, leaving that to the sergeants of their respective divisions, by order of Captain M'Veagh.

It appears by the order-book produced, an extract of which is transmitted, marked (D), that Captain M'Veagh sanctioned the permanent sergeant that he was responsible for the accuracy of the reports.

As also an order of the same date, directing that all new members of the corps should be sworn immediately after the next parade is dismissed.

The permanent sergeant denies any knowledge of the orders contained in the orderly book (produced) since 1798.

With regard to his reply respecting the copies of pay-lists, &c., a letter from Colonel Blacker, marked (E), to prove that it has not been the custom to keep any such. The copy of the order, dated Dundalk, Sept. 27, 1818, marked (F), is produced, and the sergeant states that it was never attended to, though he has some recollection of it; but that men were admitted by the consent of different officers commanding, but does not know whether they were attested or not.

A copy of the standing orders of the corps, dated March 9th, 1831, marked (G), is produced, but the sergeant states that he knows nothing of them, and that he does not know of their being attended to in any way by the corps.

That with regard to David Campbell answering to the name of Bridget, two years after Bridget's arms were given to him, the permanent sergeant states, that it is very possible such may be the case, for he takes the names as they are given to him by the other sergeants, and if they answer to the names he returns them as such.

And that such may be the case in other instances.

And that this might be done without his knowledge, as there are many individuals who are not in long established residences, and may escape visit. There are many weavers in the corps who travel about for work.

(H.) It appears that the persons whose names appear in the affidavit of the drummer, do not belong to the corps; but that he supposes others hold arms in their places, and muster in their names; and that this arises from the sergeants returning the wrong names; and that the permanent sergeant has never been called on by any former commanding officer to interfere to check this practice.

Hugh Conolly, having appeared, states, that his claim for pay stated in his affidavit, marked (I), is correct.

Sergeant Turkington re-appears, and states that he has in his possession one day's pay due to Hugh Conolly; that he must have been aware (with some others) that he had it; but that he never come for it, as it was the custom for them to do. This day's pay is due previously to last July.

The permanent sergeant declares, that none is due to Hugh Conolly beyond that which is in the hands of Sergeant Turkington.

It appears in the muster-roll delivered to Mr. Hancock in 1829, that the name of John Morgan is returned twice; but Mr. Hancock states that no such man existed in the corps at the time.

The permanent sergeant states that he believes that there were two men in the corps, one named James Morgan, and the other John; and that if they were not in the corps in 1829, other men must have answered for them.

The permanent sergeant being asked, whether there were any subscriptions entered into by members of the corps, states that there were.

Being asked whether the claim of Conolly may arise from his not consenting to be under stoppages for any such subscription, he states that that could not be the case.

It appears, however, that though there are no accounts to show the fact, that the men generally consented to a subscription of two days' pay for a particular purpose, which has been charged against Hugh Conolly, and he has now declared before me that he has no objection to such stoppage; thus three days of his claim are accounted for; and the permanent sergeant consents to pay the remaining two days, though he believes he is not entitled to it; but that may be seen by reference to the pay-list at the War-office.

There is a total absence of any vouchers with regard to the payment of the men.

H. B. Molyneux,
Lieut.-Col. commanding 67th Reg.

(A.)

(B. 9.)
Army, Yeomanry, Militia and Police.

LETTERS from Captain *Hancock*.

Permanent Sergeant George Douglas, Lurgan, 13 January 1831.

His Excellency the Lord Lieutenant has been pleased to order an investigation into the state of the Lurgan yeomanry corps, to be held on Tuesday next, the 18th instant, in consequence of a report made by me, and read to you previous to my forwarding it to Major Posier.

I shall require you to produce at the investigation the roll whereon is inscribed the names of the men enrolled in the Lurgan yeomanry corps, and who have taken the oath prescribed by 42 Geo. 3, c. 68, s. 10.

I shall also require you to produce the muster-roll with the names of the seven sergeants, one drummer, and 150 rank and file, assembled upon parade and duty, pursuant to the command of his Excellency the Lord Lieutenant, under date of the 28th day of November 1821 (twenty-one).

I shall further require you to produce copies of the pay-returns for inspections and parades, in the years 1826, 1827, 1828, 1829 and 1830, specifying the name of each and every man who appeared upon parade and received pay in any and all of those years.

I also require you to produce any order you may have received in writing from any commissioned officer in the Lurgan yeomanry corps, authorizing you to transfer the arms, accoutrements and clothing from the persons enrolled to those persons who now have the custody of the said arms, accoutrements and clothing.

Permanent Sergeant George Douglass, Lurgan, 17 January 1831.

By my letter of the 13th instant, I required you to produce certain documents and papers upon the investigation to be held to-morrow; in addition, I require you to produce "The Standing Orders and Regulations for the Lurgan Yeomanry, dated 9th March 1809," or a copy thereof, with any alterations which may have since been made.

And I further require you to produce a correct list of the members comprising the Lurgan yeomanry on the 7th November 1812, together with the names of the persons to whom the arms were transferred, with the date of their transfer.

And I require you to produce a copy of the pay-return, ending 25th March 1813.

(B.)

REPORT of the Permanent Sergeant of *Lurgan* Yeomanry, pursuant to Order received from Captain *Hancock;* dated January 13th, 1831.

Honoured Sir,

Agreeable to your orders I produce the roll of the corps, distinguishing those men who appear not to be attested, as required by the Act, as far as can be ascertained by diligent inquiry, their attestation not having been in any way entrusted to me by the commanding officer.

I beg leave to say, that I have not any means of complying with your order respecting the muster-roll of the men on permanent duty. In 1821 the men formed into four divisions, the roll of each being called by its own sergeant by order of the commanding officer, and the pay-list made out from their report by Captain M'Veagh, to whom they were handed, who returned the same. No copy of the pay-list was kept, to my knowledge, nor was I directed to keep any. I beg leave to say, that not having received any orders to keep copies of the pay returns for the years mentioned in your orders, or for any year since the formation of the corps, I am unable to produce any such; but should it be your orders, copies shall in future be kept, or any form you may please to prescribe. I beg leave to say, that I have not received any orders in writing from any commissioned officer of the corps respecting the transfer of arms, &c., from one man to another, nor have I ever taken it upon me to make such transfer; the practice of the corps having been for the sergeants of companies to recommend the removal or taking in of men under the controvert of the commanding officer, the name being surely handed to me when taken in for the purpose of being placed on my roll. This report is, with the most profound respect, submitted to your consideration.

George Douglas,
Perm. Sergeant Lurgan Yeomanry.

(C.)

MUSTER-ROLL of the LURGAN YEOMANRY.

Remarks.	No.	NAMES.	Remarks.	No.	NAMES.	Remarks.	No.	NAMES.
	s. 1	Anderson, William.		64	Guey, John.		127	M'Neil, John.
	s. 2	Belshaw, William.		65	Gracey, Thomas.		128	M'Cleveen, John.
	s. 3	Corner, Francis.		66	Graham, Robert.		129	M'Neil, William.
	s. 4	Cotter, Samuel.		67	Graham, George.		130	M'Neice, George.
P.	s. 5	Douglass, George.		68	Ganley, John.		131	M'Neil, Thomas.
	s. 6	Dougan, Joseph.		69	Gaddiss, Andrew.		132	M'Kean, Peter.
	s. 7	Dougan, Henry.		70	Hutchinson, James.		133	M'Court, William.
	s. 8	Douglass, John.		71	Hamilton, David.		134	Marsden, Robert.
	s. 9	Kenedy, George.		72	Hadden, Daniel.		135	Mitchell, John.
	s. 10	Turkington, James.		73	Halliday, James.		136	M'Creedy, James.
	s. 11	Warren, Thomas.		74	Halliday, Thomas.		137	Mahaffy, James, 3d.
	12	Allen, Arthur.		75	Hill, William.		138	Nesbit, John.
	13	Allen, Joseph.		76	Hutchinson, William.		139	Nesbit, Joseph.
	14	Allen, Samson.		77	Hanna, James.		140	Nesbit, William, 1st.
	15	Allen, James.		78	Halliday, William.		141	Nesbit, Joseph, 2d.
	16	Allen, John.		79	Halliday, James.	D.	142	Nesbit, William, 2d.
	17	Allen, William.		80	Hall, William.		143	Nicholson, Robert, 1st.
	18	Allen, Bernard.		81	Haskess, William.		144	Nicholson, Robert, 2d.
	19	Byrne, Thomas.		82	Hill, John.		145	Osborne, Robert.
	20	Bridget, William.		83	Hadden, William.		146	Osborne, Henry.
	21	Byrne, Robert.		84	Hagan, John.		147	Pollock, Alexander.
	22	Black, Peter.		85	Haddock, George.		148	Patterson, Thomas.
	23	Browne, William, 1st.		86	Haddock, James.		149	Phœnix, Thomas.
	24	Byrne, Richard.		87	Hadden, John.		150	Pentland, William.
	25	Barriss, John.		88	Johnston, John.		151	Pepper, Joseph.
	26	Browne, William, 2d.		89	Kirkpatrick, John.		152	Pickram, John.
	27	Boyce, James, 1st.		90	Ludlow, James.		153	Pentland, Robert.
	28	Bridget, James.		91	Lyness, Robert.		154	Quin, William.
	29	Belshaw, George.		92	Lownsdale, George.		155	Ruddle, James.
	30	Barriss, Thomas.		93	Lownsdale, Thomas.		156	Ross, John.
	31	Boyce, James, 2d.		94	Lyness, William.		157	Robonson, John.
	32	Bodel, Henry.		95	Lownsdale, James.		158	Rodgers, John.
	33	Bradshaw, George.		96	Langtry, William.		159	Roberts, Robert.
	34	Brown, William, 3d.		97	Lun, John.		160	Ross, James.
	35	Cummins, Joseph.	P. D.	98	Mahaffy, James, 1st.		161	Sunerton, Joseph.
	36	Cave, William.	D.	99	Mahaffy, William.		162	Sual, Alexander.
	37	Curry, Robert.		100	Mercer, Duke.		163	Surpliss, Edward.
	38	Corner, Henry.		101	Mahaffy, James, 2d.		164	Sergeant, Daniel.
	39	Carter, George.		102	Medley, John.		165	Smart, Ralph.
	40	Capper, Abraham.		103	Morrison, James.		166	Stevenson, John.
	41	Cave, Thomas.		104	Mercer, Henry.		167	Smart, John.
	42	Cully, James.		105	Miller, William.		168	Summervile, Samuel.
	43	Conly, Hugh.		106	Miller, Andrew.		169	Sirplus, William.
	44	Chambers, Moses.		107	Morrison, Robert.		170	Thomson, Thomas, 1st.
	45	Calvert, Bernard.		108	Moore, William.		171	Turkington, William.
	46	Cuppage, George.		109	Mercer, James.		172	Turkington, Samuel.
	47	Corner, John.		110	Mawhinny, John.		173	Twinum, James.
	48	Daviss, William, 1st.		111	Marsden, Thomas.		174	Turkington, Edw. 1st.
	49	Daviss, James.		112	Maxwell, William.		175	Thomson, Thomas, 2d.
	50	Daviss, William, 2d.		113	Murphy, Alexander.		176	Taylor, Andrew.
	51	Duffy, John.		114	Midcalf, Samuel.		177	Turkington, Edw. 2d.
	52	Douglass, Moses.		115	Magene, John.		178	Thomson, Saunders.
	53	Dewart, Robert.		116	M'Stea, Joseph.		179	Vaughen, John.
	54	Dobson, John.		117	M'Dowel, James.		180	Weatheral, Richard.
	55	Dewart, John.		118	M'Convill, Edward.		181	Willson, John.
	56	Elliot, James.		119	M'Cleery, Robert.		182	Wells, William.
	57	Elliss, Isaac.		120	M'Court, John.		183	Wells, John.
	58	Elliott, Richard.		121	M'Gibbin, Vall.		184	Weatheral, William.
	59	Gaddiss, Charles.		122	M'Dowell, Samuel.		185	Willson, Robert.
	60	Gaddiss, George.		123	M'Clatchy, Henry.		186	Wells, Francis.
	61	Gorman, Charles.		124	M'Conahy, Francis.		187	Warren, Joseph.
	62	Graham, George.		125	M'Neil, Archibald.		188	Willson, William.
	63	Gibson, Thomas.		126	M'Convill, William.		189	Waite, John.

(D.)

LURGAN Yeomanry Orders, 20th January 1813.

(B. 9.) Army, Yeomanry, Militia and Police.

Captain M'Veagh is extremely sorry to find that of late the returns of the absentees at the different parades have been improperly given in, and particularly so at the parade of Sunday last. He must therefore desire that the sergeant of grenadiers, who signed the report of that day, will correct it with minute exactness, and also the sergeant who signed the reports of the battalion companies, which were infinitely more incorrect than even the others.

Captain M'Veagh hopes the permanent sergeant will immediately have these reports corrected; and he will recollect in future that he is responsible for their accuracy.

Major Hill having ordered that the men's accounts be settled up to the 24th of December last, and that each individual of the corps do sign said settlement in Lieutenant Morris's book, which must be produced to him at next inspection.

The sergeants, corporals, and privates will, therefore, call for this purpose on him on the different days he may appoint.

All the new members of the corps who have not taken the oaths will be sworn immediately after the next parade is dismissed.

(F).

(Circular).

Orders, Dundalk, Sept. 27th 1818.

It is the Lord Lieutenant's orders, that in all cases wherein vacancies occur, owing to the death, resignation, or other casualty of any members of corps, whose establishment exceeded 100 rank and file, such vacancies are on no account to be filled up; and that in every instance wherein members absented themselves altogether from inspection, it is His Excellency's commands, that in all cases of this kind the arms, &c. &c. &c., are to be collected, and lodged in a place of security prior to their final transmission to the Ordnance store, reporting the number to me.

Alexander Armstrong, Colonel Brig. Major.

Officer commanding Lurgan Corps.

(G).

STANDING Orders and Regulations for the *Lurgan* Yeomanry, 9 March 1809.

Every officer, non-commissioned officer and private, on being admitted a member of the corps, to take the following oath; viz.

"I do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King George the Third; and that I will faithfully support and maintain the laws and constitution of this kingdom, and the succession to the Throne in His Majesty's illustrious house. I furthermore do swear that I never was nor ever will be an United Irishman, nor ever took the oath of secrecy to that or any other treasonable society; and that I will use every means in my power to discover and bring to punishment all persons who would subvert our constitution and religion, as established amongst us by the great King William."

The corps being now formed into a battalion, consisting of one grenadier, one light infantry, and two battalion companies, each private on entering the corps to be attached to either of these companies, as the commanding officer may think proper; each non-commissioned officer and private to fall in at their respective private parades on the first beating of the drummer's call or sound of bugle, with their arms, accoutrements and clothing complete.

Any man appearing dirty or not properly dressed, agreeable to the orders of the corps, to be fined 1 *s.* and forfeit his day's pay, and on a repetition of said offence to be expelled the corps.

Each man's arms and accoutrements to be perfectly clean, bright, and in good order.

Wooden snappers to be used at all times unless ordered to the contrary, and when to parade, to fire blank or ball cartridge, flints to be put in with lead, which every man will receive for the purpose.

Belt-slings and leathers of brushes and prickers to be of a good white, pouch black and polished

(B. 9.)
Army, Yeomanry, Militia and Police.

The cap well put on, the tuft clean, band white, and the cap fronts clean and bright.

The hair close cropped; every man will be provided with a military black stock; no black silk handkerchief or substitute for the stock will be allowed, and no appearance of shirt to be above the stock, such being unmilitary.

Trousers and spats perfectly white, buttons clean; to be constantly worn on parade (except on inspection days or when ordered to the contrary). The regimental breeches and leggings to be kept clean and in good order, and worn only at inspections or when particularly ordered.

No man will be entitled to pay who appears on parade without his arms, accoutrements and clothing complete. Any man wearing any part of his yeomanry clothing, except upon the days of parade, will be fined for the first offence 2*s.*, and for the second expulsion. Should any damage have been received by being thus worn or used, he will be obliged to make it good.

Any man talking in the ranks to have his pay stopped for that day. A fine of 3*s.* on any man absenting himself from inspection parades; all other parades 6*d.*, with the loss of his day's pay (sickness excepted). Any man being absent three successive days to be expelled the corps (sickness excepted). Any man leaving the ranks after roll-call until regularly dismissed, whether on parade, on a march, or otherwise, without leave of the commanding officer, to be fined 2*s.* 6*d.* Each orderly sergeant to call the roll on his private parade, and in the absence of his officers to inspect his company and report accordingly the state of said company to Captain M'Veagh, or in his absence the officer commanding.

Any sergeant giving in a false report of his division or company, on proper investigation, to be broke.

The commanding officer is determined to assist and support in the most peremptory and effectual manner the officers and non-commissioned officers in the corps in their endeavours and exertions in having the foregoing rules and regulations enforced; and he expects the officers will attend parades as often as in their power; and that the non-commissioned officers will, by their cleanly and soldierlike appearance, show a proper example to the privates in their respective companies; and as an encouragement to discipline and correct conduct, such privates as are uniformly most attentive to their duty as soldiers will meet a decided preference in being promoted.

God Save the King.

(H).

County of Armagh, to wit. } The information of William Mahaffy, acting permanent drummer of the Lurgan yeomanry, taken upon oath before William John Hancock, Esq., one of His Majesty's justices of the peace for said county,

Saith, his father, James Mahaffy, has been blind nearly 11 years, and deponent has acted for him as drummer. Saith, he received notices to serve upon the members of the Lurgan yeomanry, requiring them to attend upon parade, upon Tuesday next, the 18th January, to be inspected by Lieut.-Colonel the Hon. R. Molyneux. Saith, amongst others, he received the following:—

No. 46. James Hamilton, Lurgan.
66. John Higgins of Lurgan.
105. John M'Neill, Moynbrieff.
154. Thomas Chambers, Bleary.
167. James M'Clean, Kilmore.
171. John Hamilton, Ballynemoney.
176. John Morgan, Knockraware.
178. William Maxwell, Leggahorry.
180. George Belshaw, Teersogue.
191. John Morgan, Knockraware.
202. John M'Neill, Moynbrieff.
203. James M'Neice, Ballyblagh.

Deponent saith he has made due and diligent search, and cannot find any man of the name of James Hamilton who ever was a member of the Lurgan yeomanry corps. Saith he can find John Higgins of Lurgan, but in deponent's presence Sergeant Corner admitted he had seven years ago received the arms of the said John Higgins. Saith he found one John M'Neill of Moynbrieff, who had died lately, and his arms had been returned to Captain Hancock; but he could not find any other John M'Neill who had ever been a member of the corps, one notice being numbered 105, the other 202. Deponent further saith he could not find any person named Thomas Chambers of Bleery, James M'Clean of Kilmore, John Hamilton of Ballynemoney, John Morgan of Knockraware, or George Belshaw

(B. 9.)
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Belshaw of Teersogue. Deponent saith he found the arms of William Maxwell had been transferred to John Haddock of Drumgask, and that James M'Neice of Ballyblagh, had, upwards of seven years ago, transferred his arms to James Ross. Saith he also found that William Langtry had not been a member of the corps for many years. And deponent further saith, that the arms which were given to John Bridget are now in the hands of David Campbell, both living in the townland of Bleery; and that the arms of Peter M'Kean of Tollygalea, are now in the hands of Caster Corner, Moyraverty; and that the arms of Samuel Kerr of Ballymacateer, had been transferred to John Lun of Ballymacateer. Saith he also found the following persons members of the corps, for whom he had no notice:—Robert Marsden, Kennigo; James M'Creedy, Bleery; William Surplus, Annaloist; Sanders Thompson of Drumnakelly.

William Mahaffy.

Taken and sworn before me, this 17th January 1831.

Wm. John Hancock, J. P.,
Armagh & Down.

Lurgan, 11th January 1831.

The Lurgan yeomanry corps will be inspected on Tuesday next, the 18th instant, by Lieutenant-Colonel the Honourable R. Molyneux, by order of Major-General Macdonnel, commanding the Ulster district.

I do hereby require you to be upon parade at the hour of nine o'clock on the morning of Tuesday next, the 18th instant, with the arms, accoutrements, and clothing which you received as a member of the corps.

The arms, accoutrements, or clothing belonging to any other corps of yeomanry, cannot be permitted to be inspected as belonging to the Lurgan corps.

If you neglect to attend the parade on Tuesday next, your name shall be struck off the roll of the corps.

Wm. John Hancock.
Captain Lurgan Yeomanry.

No.
To
The Townland of

Bring this notice with you to parade.

(I.)

Counties of Armagh & Down, to wit } The information of Hugh Conolly of Gortmoyra, in the county of Down, taken before Wm. John Hancock, Esq., one of His Majesty's justices of the peace for the said counties. Informant being duly sworn, deposeth and saith:—That he now is, and has been for upwards of seven years past, a private in the Lurgan yeomanry corps; was never duly attested, nor took the oath of allegiance, not having been required so to do. Saith that he has duly attended the inspections and parades of said corps; and that on the July inspection of 1830, there were nine days' pay due to this examinant. That on the 10th day of July last, the permanent sergeant, George Douglass, paid this examinant three days' pay, leaving six days' pay due; Saith, that on Thursday the 23d instant, he, this examinant, received another day's pay from the said George Douglass, leaving five days' pay still due and unpaid to this examinant; saith that on said day, he, this examinant, was also paid for his attendance at the inspection of that day, pursuant to the new arrangement adopted by Captain Hancock. Saith, that he also demanded from Sergeant Douglass, the former balance of five days' pay, and received from him in reply a great deal of abusive language, and a total refusal to pay the money due. Examinant further saith, that there is still due to him the said five days' pay; and that he never either directly or indirectly received the same, or authorized any one to receive it for him.

Hugh Connolly.

Sworn before me at Lurgan, this 24th day of December, 1830.
Wm. John Hancock.

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Army, Yeomanry, Militia and Police.

(J.)

LIST of LURGAN YEOMANRY, Commanded by *Charles Brownlow*, Esq.

No.	NAMES.	RESIDENCE.	No.	NAMES.	RESIDENCE.
1	George Douglass, P. S.	Dougher.	71	James Morrison	Taberhewny.
2	Serg^{t} Joseph Dougan	Lurgan.	72	William Browne	Ditto.
3	Henry Dougan	Ditto.	73	Samuel M'Dowell	Moyraverty.
4	Thomas Warren	Derry.	74	Henry M'Clatchy	Cornikinegar.
5	Francis Corner	Lurgan.	75	Alexander Pollock	Lurgan.
6	William Belshaw	Termoyry.	76	James Twinan	Ditto.
7	George Kennedy	Knockneshane.	77	John Willson	Cornikinegar.
8	James Turkington	Lurgan.	78	Henry Mercer	Dougher.
9	Samuel Coulter	Clamolea.	79	Francis M'Conaghy	Annaloist.
10	John Douglass	Dougher.	80	Thomas Paterson	Teersogue.
11	William Anderson	Ballymacateer.	81	Richard Byrne	Lurgantarry.
12	James Ruddle	Coruseany.	82	Moses Douglass	Kinnigo.
13	James Elliott	Kilmore.	83	John Guey	Lurgan.
14	Joseph M'Stea	Termoyry.	84	Joseph Nesbitt	Knockneshane.
15	Joseph Swinarton	Clanygeleavoriff.	85	John Barras	Ballyblagh.
16	Richard Wetheral	Moynbrieff.	86	William Hill	Lurgan
17	Arthur Allen	Derrylisnehavile.	87	William Browne	Coruseany.
18	Joseph Cummins	Dougher.	88	Andrew Millar	Dougher.
19	William Cave	Drommkerne.	89	Archibald M'Neill	Knockneshane.
20	Thomas Thompson	Taughraane.	90	William Hutchinson	Leggahorry.
21	Robert Nicholson	Teghnevan.	91	George Lownsdale	Dromnikerne.
22	William Davis	Lurgan.	92	William M'Convill	Teersogue.
23	James M'Dowell	Ditto.	93	Edward Surplass	Annaloist.
24	Robert Curray	Legacurry.	94	John Robinson	Clamolea.
25	James Mahaffy, serg^{t}	Lurgan.	95	James Boyce	Killaughy.
26	Thomas Byrne	Termoyry.	96	Edward Turkington	Annaloist.
27	Edward M'Convile	Moynbrieff.	97	John Rodgers	Ballyblagh.
28	James Daviss	Knockneshane.	98	William Quinn	Moynbrieff.
29	William Bridget	—	99	Thomas Lonsdale	Kilmore.
30	Henry Corner	Cornikinegar.	100	John Chambers	Lurgan.
31	William Turkington	Annaloist.	101	Thomas Thompson	Ditto.
32	William Mahaffy	Lurgan.	102	Robert Roberts	Ditto.
33	James Hutchinson	Ballynemoney.	103	Robert Hill	Ditto.
34	Robert M'Cleery	Knockneshane.	104	Samuel Summervile	Moynbrieff.
35	David Hamilton	Ballynemoney.	105	John M'Neill	Ditto.
36	Charles Gaddiss	Lurgan.	106	Isaac Elliss	Tullydagon.
37	Michael Linn	Ditto.	107	James Hannah	Boconnel.
38	Samuel Kerr	Ballymacateer.	108	James Allen	Derrylisnehavile.
39	John Caulfield	Ballyblagh.	109	John Harris	Moyraverty.
40	Alexander Suel	Ballymacateer.	110	William Wells	Bleery.
41	Daniel Hadden	Knockneshane.	111	Richard Elliott	Tanaghmore South
42	James Ludlow	Lurgan.	112	Daniel Serjeant	Lurgan.
43	George Gaddiss	Knockraware.	113	William Halliday	Moynbrieff.
44	Samuel Turkington	Termoyry.	114	James Halliday	Ditto.
45	Robert Lyness	Teghnevan.	115	John Allen	Derrylisnehavile.
46	James Hamilton	Lurgan.	116	Robert Dewart	Ballymacateer.
47	John Kirpatrick	Derrylisnehavile.	117	William Millar	Lurgantarry.
48	Joseph Allen	Ditto.	118	William M'Court	Clanygeleavoriffe.
49	Robert Byrne	Ballymacateer.	119	John Wells	Bleery.
50	Robert Boyce	Kilmore.	120	Thomas Barras	Ballyblagh.
51	John Johnston	Warringstown.	121	William Wetheral	Lurgan.
52	John Ross	Ballyblagh.	122	Ralph Smart	Ditto.
53	Charles Gorman	Lurgan.	123	Robert Willson	Cornikinegar.
54	John Graham	Kilmore.	124	William Nesbitt	Knockneshane.
55	Sampson Allen	Derrylisnehavile.	125	Robert Nicholson	Ballynemoney.
56	Peter Black	Lurgan.	126	Joseph Nesbitt	Knockneshane.
57	Daniel M'Neice	Ditto.	127	William Lyness	Taberhewny.
58	Duke Mercer	Ditto.	128	Francis Wells	Bleery.
59	George Carter	Moynbrieff.	129	Joseph Warren	Legacurry.
60	John Duffoy	Lurgan.	130	John M'Elveen	Coruseany.
61	Thomas Gibson	Ditto.	131	John Stevenson	Kilmore.
62	James Mahaffey	Ditto.	132	Abraham Capper	Tollygally.
63	James Halliday	Moynbrieff.	133	William M'Neill	Moynbrieff.
64	Thomas Halliday	Ditto.	134	Thomas Cave	Dromnikerne.
65	John Medley	Drumgor.	135	William Summervile	Moynbrieff.
66	John Higgins	Lurgan.	136	Thomas Gracey	Silverwood.
67	John M'Court	Moynbrieff.	137	William Allen	Dromnikerne.
68	John Vaughen	Moyraverty.	138	Robert Osborne	Ballymacateer.
69	Vale M'Gibbon	Kinnigo.	139	James Ross	Ballyblagh.
70	John Nesbitt	Knockneshane.	140	James Cully	Knockneshane.

(*continued*)

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Army, Yeomanry, Militia and Police.

No.	NAMES.	RESIDENCE.	No.	NAMES.	RESIDENCE.
141	John Smart	Lurgan.	173	John Dobson	Ballyblagh.
142	Robert Graham	Ballymacateer.	174	William Ross	—
143	William Hill	—	175	James Haddoc	Moyraverty.
144	John Harskin	Knockneshane.	176	John Morgan	Knockraware.
145	Robert Robinson	Ballyblagh.	177	George Cuppage	Termoyry.
146	William Moore	Knockneshane.	178	William Maxwell	Legacurry.
147	Joseph Pepper	Ditto.	179	William Langtry	Teersogue.
148	James Boyce	Liscurran.	180	George Belshaw	—
149	John Bridget	Bleery.	181	Henry Bodell	Moyraverty.
150	John Hill	Lurgan.	182	Alexander Murphy	Derryadda.
151	George Graham	Ballymacateer.	183	Samuel Midcalf	Drumgask.
152	Hugh Conley	—	184	Thomas M'Neile	Lurgan.
153	William Hadden	Knockneshane.	185	Robert Bradshaw	Coruseaney
154	Thomas Chambers	Bleery.	186	George Berry	Ballymacateer.
155	John Gauley	Kilmore.	187	Henry Nesbitt	Knockneshane.
156	James Mercer	Clamole.	188	Bernard Allen	Kilmore.
157	John Mawhinney	Ballymacateer.	189	William M'Mullen	Ballymacateer.
158	Edward Harriss	Moyraverty.	190	William Wilson	Moynbrieff.
159	Andrew Taylor	Drumgask.	191	John Morgan	Knockraware.
160	Edward Turkington	Annaloist.	192	Henry Turkington	Drumgask.
161	James Bridget	Bleery.	193	Peter M'Kean	Tollygally.
162	Henry Osborne	Ballymacateer.	194	John Dewart	Ballymacateer.
163	John Hagan	Knockneshane.	195	John Hadden	Knockneshane.
164	George M'Neice	Ballyblagh.	196	John Corner	Dromnikerne.
165	Leonard Calvert	Moyraverty.	197	John Maguire	Derryadda.
166	James Lownsdale	Kilmore.	198	Robert Pentland	Leggahorry.
167	James M'Clean	—	199	William Daviss	Knockneshane.
168	Thomas Phœnix	Dougher.	200	John Waite	Moynbrieff.
169	Thomas Marsden	Kinnigo.	201	John Nesbitt	Moyraverty.
170	William Pentland	Legacurry.	202	John M'Neile	Moynbrieff.
171	John Hamilton	Ballynamoney.	203	John M'Neice	Ballyblagh.
172	George Haddock	—			

I certify that the foregoing is a true copy of the return made to me by Permanent Sergeant George Douglass, on my taking the command of the Lurgan yeomanry.

17 January 1831.

William John Hancock,
Captain Lurgan Yeomanry.

A CORRECT LIST of the Members comprising the LURGAN YEOMANRY.

1 Sampson Allen
2 William Allen
3 Stephen Allen
4 Samuel Allen
5 Hugh Allen
6 Richard Allen
7 Joseph Allen
8 John Allen
9 Robert Anderson
10 John Gracey
11 James Allen
12 Thomas Moffett
13 William Anderson
14 Robert Anderson
15 James Boyde
16 George Ballentine
17 Thomas Bulla
18 William Bulla
19 Thomas Barras
20 George Brown
21 John Bingham
22 William Bridget
23 James Bullock
24 William Best
25 John Halliday
26 George Blair
27 John Barras
28 William Brown
29 Hillary Douglass
30 Brice Blair
31 Robert Boyce
32 James Boyce
33 Samuel Hutchinson
34 George Boyce
35 Thomas Cooper
36 Samuel Christy
37 John Collins
38 John Chapman
39 Peter Curry
40 Robert Calvert
41 Andrew Culbert
42 William Gillespie
43 Moses Douglass
44 Thomas Corner
45 James Surpluss
46 William C——
47 Thomas Cave
48 James Ludlow
49 George Hewitt
50 Peter Campbell
51 Thomas Summerville
52 Robert Mathews
53 John Connelly
54 Richard Carter
55 William Capper
56 George Duffy
57 William M'Cabe
58 James Douglass
59 Thomas Wetherald
60 Clements Bingham
61 Robert Douglass
62 John Elliot
63 James Elliot
64 David Erskine
65 William Erskine
66 Henry Falloon
67 William Elliss
68 Richard Elliott
69 George Fawcett

(*continued*)

(B. 9.)
Army, Yeomanry, Militia and Police.

70 Joseph Fawcett
71 Henry Melville
72 Samuel Falloon
73 John Falloon
74 John Ferguson
75 Joshua Folles
76 John Gordon
77 James Gorman
78 Thomas Gibson
79 Charles Gorman
80 Joseph Gordon
81 John Gawley
82 John Gillespie
83 Robert Dawson
84 John Nicholson
85 Francis Corner
86 John Gaddiss
87 Henry Green
88 James Gillespie
89 John Higgins
90 William Hutchinson
91 John Hannah
92 Abraham Capper
93 James Hutchinson
94 William Hill
95 Nathaniel Hobbs
96 Henry Hora
97 Job Hollywood
98 James Hannah
99 William Mathews
100 John Corner
101 Robert Hewitt
102 Christopher Corner
103 Daniel Hawthorn
104 William Halliday
105 John Halliday
106 Robert Hill
107 William Hare
108 William Summervile
109 William Magowan
110 Alexander Hall
111 Alexander Hall, jun.
112 William Davis
113 William Johnston
114 James Irwin
115 John Johnston
116 John Kennedy
117 James Kennedy
118 George Kennedy
119 Barak Kirke
120 Henry Lavery
121 William Lynn
122 William Lynass
123 William Lawson
124 Samuel Langtry
125 Arthur Lavery
126 Michael Lynn
127 Richard Lawson
128 William Black
129 Alexander Lawson
130 William Langtry
131 William M'Court
132 William Lindsay
133 George Pickram
134 Samuel Christy
135 John Mahaffy
136 Robert Mercer
137 Richard M'Neal
138 James M'Neice
139 William M'Neill
140 James M'Collum
141 James Madden
142 Joseph Maguone
143 James Morrison
144 George M'Clean
145 Christy Morrison
146 Edward M'Kage
147 William Marsden
148 William Cave
149 John Halliday
150 John M'Cabray
151 Hiram Hill
152 George Mulholland
153 John M'Nally
154 James Millar
155 William Millar
156 Henry Gaddis
157 Edward M'Connell
158 William M'Connell
159 James M'Kinley
160 John Mitchell
161 Joseph Mitchell
162 Arthur Allen
163 William M'Neill
164 Joseph Wetheral
165 John M'Kowen
166 Thomas Malone
167 Richard Carson
168 William Maneely
169 William Nesbitt
170 Joseph Nesbitt
171 John Nesbitt
172 H. Montgomery
173 William Nicholson
174 James Nesbitt
175 William Pickram
176 William Piper
177 Matthew Phœnix
178 Andrew Gaddiss
179 John Prichard
180 Isaac Elliss
181 Alexander Roberts
182 John Ross
183 William Ross
184 John Black
185 Thomas Ross
186 Matthew Robinson
187 John Hall
188 Edward Ross
189 Samuel Rogers
190 John Brown
191 William Ross
192 Ralph Smart
193 Daniel Serjeant
194 William Hall
195 James Stewart
196 John Stephenson
197 William Summervile
198 William Hare
199 Samuel Surpluss
200 Robert Stephenson
201 William Taylor
202 David Thompson
203 John M'Ilwane
204 James M'Ilwane
205 William Turner
206 Joseph Warren
207 Matthew Warren
208 Oliver Thompson
209 William Waite
210 Joshua Waite
211 Richard Wilson
212 William Wells
213 Richard Wetheral
214 John Wilson
215 Edward Wetheral
216 Thomas Wilson
217 James Younge
218 William Collins
219 James Hall
220 James Halliday
221 William Osborne
222 James Lynass
223 Robert Coulter
224 Thomas Hill
225 William Holles
226 Christopher Wells
227 Adam Hagan
228 John Irwin
229 William Johnston
230 James Morgan
231 Andrew Millar
232 William Atkinson
233 William Hall
234 Joseph Collins
235 Charles Cunningham
236 John Duffy
237 Samuel Kerr
228 Joseph Nesbitt
239 Waddell Hannah, fifer
240 John Hannah, triangle
241 Henry Clarke, fifer
242 David Hannah, fifer
243 Thos. Jenkinson, bugle
244 John Warren, fifer
245 Robert Lyass, fifer
246 John Barras, drum.
247 Alex. Dawson, drum.
248 Thomas Bullock, drum.
249 David Thompson, sergt.
250 Thomas Warren, sergt.
251 Saywell Black, sergt.
252 William Belshaw, sergt.
253 Samuel Coulter, sergt.
254 Joseph Dougan, sergt.
255 Henry Dougan, sergt.
256 James Gorgan, sergt.
257 John Nicholson, sergt.
258 Js. Turkington, sergt.
259 Js. Mahaffy, p. drum.
260 Geo. Douglass, p. sergt.

Officers:

W. Brownlow, Capt. Com.
Henry M'Veagh, Capt.
Thomas Morris, 1st Lieut.
William Burke, 2d Lieut.
Robert Elliss, 3d Lieut.
Launcelot Hill, 4th Lieut.
Thomas Hall, 5th Lieut.

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(K.)

(B. 9.)
Army, Yeomanry, Militia and Police.

Counties of Armagh and Down, to wit. } THE informations of Christopher Armstrong, sub-constable of police, stationed at Lurgan, taken upon oath before William John Hancock, Esq., one of His Majesty's justices of the peace for the said counties. Informant saith that, on Thursday the 9th day of December last, he was on duty with a party of police, the sergeant of whom had an order or warrant commanding the party to proceed to the Rabbitborough-hill to take down a flag that had been hoisted there to collect together, as informant believes, an illegal and tumultuous assembly of the people. Saith, that on arriving at the said Rabbitborough-hill a number of people had assembled, some of whom had taken down the flag before informant had arrived, and they were conducting themselves in a disorderly and violent manner; several of the crowd spoke to the police, and said they would die to a man before they would allow the flag to be removed; that they had as good a right to have their lands pulled down as others had. One of the men in the crowd, whom informant identifies to be William M'Mullen, was very boisterous, and made use of several expressions, and amongst the rest, said he had as good arms and more ammunition than the police had, and that he would die before the flag should be removed. Informant has since heard that the said William M'Mullen is one of the Lurgan yeomanry corps, and when in custody he told informant so himself. Informant a few days afterwards went to his house with a party of police, and got his arms and accoutrements, by order of the aforesaid justice of the peace, to whom they were delivered up.

Christopher Armstrong.

Taken and sworn before me at Lurgan, this 17th day of January 1831,

William John Hancock.

My Lord, Lurgan, 1 June 1828.

I TAKE the liberty of sending you copies of informations taken here relative to the riots which occurred in this town on the 12th day of May last, and also the copy of a letter addressed by me to the Lord Chancellor of Ireland. I have been directed by him to transmit the documents to your Excellency's secretary.

The case relates to the conduct of the permanent sergeant, drummer and fifer of the Lurgan yeomanry corps.

James Forde, Esq. and myself, being the only two resident magistrates of the barony of O'Neiland East, county of Armagh, conceived it to be our duty to recommend most strongly to Charles Brownlow, Esq. the captain-commandant of the corps, to have the arms of the Lurgan yeomanry corps taken into store, to be used only on such occasions as might be necessary to preserve the peace of the district.

Mr. Brownlow issued his orders to the permanent sergeant to have the arms, &c. stored in a place of safety under my care; the sergeant, instead of obeying, went off to the brigade-major of yeomanry, Skeffington Hamilton, Esq., who has directed the sergeant not to obey the orders of his captain until he should have the opinion of your Excellency on the subject.

I therefore most respectfully solicit of your Excellency to have full investigation into all the circumstances attendant on the breaches of the peace in this county, and I have no doubt the result will be that you will form the opinion, that arms in the hands of the Lurgan yeomanry corps will not tend to the peace of the district, when the individuals holding those arms refuse to obey the orders of the captain and two magistrates of this county.

I have, &c.

William John Hancock, J.P.,
County Armagh.

His Excellency the Marquis of Anglesea,
Lord Lieutenant of Ireland.

EXTRACTS from a LETTER to the Lord High Chancellor of Ireland, dated *Lurgan*, 22 May 1828.

"ON Monday the 12th of May instant, about seven o'clock in the evening, two shots were fired in the street of Lurgan, flags were hoisted on the tower of the church, and the bell rung; shortly afterwards a number of persons came into the town with drum and fife playing party tunes, and by shouting and huzzaing encouraged a very great number of persons to assemble. I felt it to be my duty to inquire into the cause of the uproar, and proceeded after the party to remonstrate with them, and induce them to disperse without any breach of the public peace, as their exhibitions had heretofore ended by the breaking of the windows of those persons who did not join in these exhibitions. I proceeded after the party, without being able to obtain a hearing from the noise and uproar, and I attempted to read the Riot Act without being able to accomplish it. I afterwards did succeed in reading the Riot Act, and after the hour prescribed by that Act had expired, I tried every means to induce the rioters to disperse, and at length arrested some, and confined them in the bridewell of this town. I sent an express for the only other magistrate residing in this barony, James Forde, Esq., who came in to my assistance, and approved of the means I

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Army, Yeomanry, Militia and Police.

had taken to preserve the peace; and suggested in addition, that one George Douglas, the permanent sergeant of the Lurgan yeomanry corps, of which corps Charles Brownlow, Esq., M.P., is the captain-commandant, should be sent for to ascertain whether we might rely on the aid of the corps in cases of riot; his conduct was such as to induce us magistrates to write to Mr. Brownlow, to beg of him, as commanding officer, to withdraw the arms from his corps, and store them in a place of safety, where they could not be used unless by our orders. I beg to refer your Lordship to Mr. Ker's informations on this point."

"Mr. Brownlow sent an order to have the arms of his corps of yeomanry placed under the care of Mr. Forde and myself; but the permanent sergeant, instead of obeying the order, went to the brigade-major of yeomanry, Skeffington Hamilton, Esq., who called on us yesterday to investigate the matter; Mr. Forde and I distinctly stated to him our opinion, that the peace of this district could not be preserved whilst the arms were in the hands of the yeomanry corps; that where any party riot would take place, we had no doubt those arms would be used against the magistrates and police, particularly that corps, the sergeant of whom had behaved in such a manner to us in the execution of our bounden duty, to preserve the peace by every means in our power. Major Hamilton has taken upon himself to suspend the captain-commandant's order until he has a communication from Government, which has induced me to thus intrude on your attention the whole of the facts of this affair."

(Copy.)

Counties of Armagh and Down, to wit. } THE informations of Hugh Connolly of Gortmoyra, in the county of Down, taken before William John Hancock, Esq., one of His Majesty's justices of the peace for the said counties. Informant being duly sworn, deposeth and saith, that he now is, and has been for upwards of seven years past, a private in the Lurgan yeomanry corps, was never duly attested, nor took the oath of allegiance, not having been required so to do. Saith, That he has duly attended the inspections and parades of said corps, and that on the July inspection of 1830, there were nine days' pay due to this examinant. That on the 10th day of July last the permanent sergeant, George Douglas, paid this examinant three days' pay, leaving six days' pay due. Saith, That on Thursday the 23d instant, he, this examinant, received another day's pay from the said George Douglas, leaving five days' pay still due and unpaid to this examinant. Saith, on said day, he, this examinant, was also paid for his attendance at the inspection of that day, pursuant to the new arrangement adopted by Captain Hancock. Saith, That he also demanded from Sergeant Douglas the former balance of five days' day, and received from him in reply a great deal of abusive language, and a total refusal to pay the money due. Examinant further saith, that there is still due to him the said five days' pay, and that he never either directly or indirectly received the same, or authorized any one to receive it for him.

Hugh Connolly.

Sworn before me at Lurgan, this 24th day of December 1830,

William John Hancock.

Sir, War-office, Dublin Castle, 21 October 1796.

I HAVE the Lord Lieutenant's commands to send you enclosed your commission, and those of the other officers of your corps. His Excellency wishing to avoid any unnecessary inconvenience to the gentlemen who have with so much zeal and alacrity offered services, does not conceive it requisite at this time to arm and array more than the number below, in the selection of which you will consult the personal recommendation of the gentlemen who have enrolled themselves.

You will receive in the course of a few days a printed form for a monthly return, which you will send up to the adjutant-general, and which will be a voucher for any pay that may become due; the printed paper enclosed will explain the other points of detail necessary for your information.

Establishment of Captain William Brownlow's corps of infantry.

Sergeant, with permanent pay	1
Sergeants	5
Rank and file	120
Total	126

I have, &c.,
(signed) *J. Pelham.*

Sir, Dublin Castle, 16 April 1798.

(B. 9) Army, Yeomanry, Militia and Police.

As it may be expedient in case of invasion or other emergency to augment the yeomanry establishment, particularly the infantry; and as much confusion and inconvenience might result from the adoption of such a measure without previous arrangement, you are requested to report to me, for his Excellency's information, what number of men of approved loyalty, not exceeding 50, you can add to your corps on the following conditions:

The men to be immediately enrolled to take the oath of allegiance, as prescribed by the Act, and to declare their willingness to undertake permanent duty as yeomen when called upon by Government. Until so called upon they are neither to be clothed, paid, armed or disciplined; but to consider themselves as a supplementary force, ready to supply vacancies in the corps, or to turn out in defence of their country should the Lord Lieutenant require their services; in which case they are to be provided by Government with arms and accoutrements.

As soon as I am favoured with your answer, I shall have the honour of transmitting to you his Excellency's further pleasure upon the subject.

I have, &c.,
(signed) *Castlereagh.*

EXTRACT LETTER, 6 May 1798.

"I HAVE also his Excellency's commands to signify to you his approbation of your immediately enrolling in your corps such a number of men of approved loyalty, not exceeding 50, as shall be ready to engage, according to the terms proposed in my letter of the 16th of April; it having been understood that the men are not to be either clothed, armed, or paid, unless the Lord Lieutenant, in case of emergency, should find it expedient to avail himself of their services. The names and the oaths of allegiance to be transmitted to the War-office as speedily as possible.

I have, &c.,
(signed) *Castlereagh.*

Sir, War-office, Dublin Castle, 4 April 1799.

I AM commanded by the Lord Lieutenant to acquaint you, that the Lurgan corps of infantry, under your command, is from the date of this letter established at the numbers detailed, as follows:

Establishment of Captain Brownlow's corps of infantry.

Permanent sergeant	1
Sergeants	6
Trumpeters or drummers	1
Rank and file (dismounted infantry)	150
Total	158

I have, &c.,
(signed) *Castlereagh.*

Sir, Dublin Castle, 12 September 1808.

CIRCUMSTANCES having rendered it expedient that the yeomanry infantry should be increased in a limited degree, the Lord Lieutenant has been induced to take into consideration the loyal offer for augmenting the corps under your command, which has been for some time before Government; and his Grace having decided to approve of an augmentation of four sergeants and 83 privates (infantry) to the corps, I have to request that you will as soon as possible transmit to me a roll, in the enclosed form, of the names of the persons willing to join the Lurgan corps, who are fit for service, and for whose loyalty, character and conduct you can be responsible: when the roll shall have been received at this office, and duly examined, the augmentation will be immediately placed on the regular establishment, and orders will move for the issue of arms and accoutrements.

I am to observe, that from this date of the addition to your corps being placed on the establishment, the members of the augmentation will become entitled to pay, and the usual allowance for clothing, in the same manner as the rest of the corps. But I am to state that previously thereto, they are to transmit a similar offer of service through the brigade-major, and to agree to the arrangement for exercising in battalion as has been adopted by the corps which they are to join.

P.S. It should seem desirable that the corps should be divided into two companies; and, should it meet your concurrence, you will be pleased to transmit the names of such gentlemen as you may wish to have appointed officers.

I have, &c.
Captain Brownlow, Lurgan Infantry, Lurgan. *E. B. Littlehales.*

Sir, 13 January 1809.

(B. 9.) Army, Yeomanry. Militia and Police.

In conformity to your order, dated 12 September last, Captain Brownlow embodied 80 privates and four sergeants, a roll of which was regularly transmitted to your office, accompanied with offers of service similar to those formerly made by the old establishment; since which, the men have been regularly drilled and paraded with the old corps, expecting from what was held out in your order, that they would have been placed before this on the regular establishment, so as to entitle them to pay, arms and clothing, the same as other corps in this country. In consequence of Captain Brownlow being in England, I find it necessary to apply to you for information on this subject, Brigade-major Hassard having no instructions relative thereto.

I have, &c.

Sir E. B. Littlehales, Dublin. *Henry M'Veagh,*
2d Captain Lurgan Infantry.

Sir, Dublin Castle, 14 March 1831.

The Lord Lieutenant having had under consideration the several reports regarding the conduct of Permanent Serjeant George Douglass, by which it appears that he has been most negligent in the management of the pay-lists and muster-rolls of the corps, and is totally unfit in other respects for the situation; his Excellency considers his removal from the corps to be unavoidable, and has therefore conveyed the necessary authority to Captain Hancock for discontinuing George Douglass accordingly.

I have &c.,

Brigade-major Power, (signed) *Wm. Gosset.*
&c. &c. &c.

Sir, Dublin Castle, 14 March 1831.

I have it in command from the Lord Lieutenant to acknowledge the receipt of your letter of the 11th instant, respecting Permanent Sergeant George Douglass of the Lurgan yeomanry, and to state in reply, that, on consideration of the whole of the circumstances regarding this individual, by which it appears that he has been most negligent in conducting the muster-rolls and pay-lists of the corps, and is totally unfit in other respects for the situation, his Excellency considers his removal from the Lurgan yeomanry to be unavoidable; and it is therefore his desire that George Douglass be forthwith discontinued as permanent sergeant.

With respect to the proposed appointment of Sergeant Robert Horshan, late of the King's regiment, I am to observe, that the same will be confirmed on being certified in the usual manner by the brigade-major, as fully eligible in every respect to execute the duties of permanent sergeant.

I have, &c.,

Mr. John Hancock, (signed) *Wm. Gosset.*
2d Captain Lurgan Corps.

(B. 10.)

Appendix (B. 10.)

CORRESPONDENCE relative to the Dismissal of Lieutenant *Irwin* from the Yeomanry, together with Précis relative to Party Processions in *Ireland*, 1829, 1830.

My dear Sir, Dublin Castle, 10 August 1831.

By command of the Lord Lieutenant I transmit the following letters, which you will please to lay before Mr. Stanley; viz.

Letter from Lieutenant Francis H. Irwin, dated 25th July.

Ditto from Lieutenant Thomas Irwin, dated 1st August.

Ditto from Sir William Gosset to Captain Shuter, dated 6th August.

Sir C. W. Flint, I am, &c.
&c. &c. &c. *William Gosset.*

Sir, Dungannon, 25 July 1831.

I HAVE been honoured by yours of the 21st inst. requesting to know if I took a part in the procession of the 12th inst. In reply, I beg to state that I have been district-master, for a number of years, of Orangemen. Fearing disturbance on the anniversary of crossing the Boyne, and knowing that many thousands would march in procession, I felt myself called upon to appear, as I knew my influence would preserve the peace; in consequence, I beg to state that the peace of the town was undisturbed, and no party riots of any kind took place.

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Army, Yeomanry, Militia and Police.

Now, having stated the cause of my appearing with the Orangemen, I beg to impress upon his Excellency's feelings, that I neither exhibited any party colours nor headed any Lodge, but simply accompanied the procession in the hope of preserving the peace, which I was most fortunate in accomplishing.

I have, &c.

Sir William Gosset, &c. &c. &c.

(signed) *Francis H. Irwin*,
Lieut. Drummond Yeomanry.

Sir, Killineal-house, Dungannon, 1 August 1831.

I HAD the honour of receiving your letter of the 21st ult. only on Saturday. In reply to it, as his Excellency desires to know if I will acknowledge my being with the procession of Orangemen, in Dungannon, on the 12th of July; I acknowledge I was there, with the intention of keeping them in good order and preserving the peace if any riot should have occurred, which I am happy to say that the day passed away without any kind of rioting whatever, and after the Orangemen returned in good order and peaceably to their houses. My being a district-master over 1,200 or 1,300 Orangemen for many years, and having much influence with them, I thought it was my duty called upon to attend their procession, in order to preserve good order and peace.

I have, &c.

Sir William Gosset, &c. &c.
Dublin Castle.

(signed) *Thomas Irwin*,
Lieutenant Moy Infantry.

Sir, Dublin Castle, 6 August 1831.

IT having been reported to Government, that Lieutenant Francis Irwin of the Drummond yeomanry, under your command, had taken part in an Orange procession, on the 12th of July last, in disobedience of the orders of Government, prohibiting all members of the yeomanry from appearing or co-operating in any way in those assemblies; the officer alluded to was called upon to state whether the complaint was well founded. I am now directed by the Lord Lieutenant to acquaint you, that Lieutenant Irwin has since admitted that he accompanied the procession; his object in doing so being, as alleged, to prevent by his personal influence any disturbance of the peace.

Mr. Irwin's presence on the occasion in question can only be considered as a voluntary attendance to swell the procession, in direct disobedience of the Lord Lieutenant's orders. His Excellency regrets that the excuse offered by this officer is so unsatisfactory as to compel his Excellency to perform the painful duty of removing him from the service, and to which effect you will be pleased to make a communication to him.

I have, &c.
W. Gosset.

Captain Shuter,
Drumond Yeomanry.

The same was communicated to Captain Greer, Moy yeomanry, for the dismissal of Lieutenant Thomas Irwin.

W. G.

PRECIS relative to Party Processions in *Ireland*.

REFERENCE having been made to the records of the military department in 1829, it does not appear that any material circumstance had occurred with regard to party processions; but apprehensions being entertained in the following year that such assemblies would take place, the Government deemed it expedient to issue a Proclamation for their prevention; and also an order, on the 6th of July, to the brigade-majors of yeomanry in the northern districts, prohibiting the members of that body from assembling for inspection on the 12th, or co-operating in any way in the expected processions on that day, or playing party tunes.

1829.
1830.

(B. 10.)
Army, Yeomanry, Militia and Police.

On the 24th July, Major D'Arcy having been directed to report the names of such persons in the employment of Government, within the province of Ulster, who took part in the Orange processions, the inspector-general forwarded a return from each county of the several individuals concerned, so far as they could be ascertained by the chief constables, containing the names of five officers, 106 men, of yeomanry corps, and one distributor of stamps at Lurgan.

Captain Wm. Harpur, Benburb yeomanry.
2d Captain, Thomas Atkinson, Crowhill ditto.
Lieutenant Thos. Mussen, Ballymacash ditto.
Lieutenant Wm. Blakeley, Islandderry ditto.
Lieutenant Eben. Rutherford, Newbliss ditto.
Mr. Joseph Wilson, stamp distributor.

The then Lord Lieutenant finding it necessary to make an example of those Government officers who took part in the processions, contrary to the renewed proclamation and injunctions, his Grace considered it would be sufficient to dismiss the officers alluded to, permanent drummers and fifers, taking no notice of the privates. Their removal from the public service was carried into effect accordingly.

The course pursued upon this occasion having been communicated to the Secretary of State (Sir R. Peel), His Majesty's approval was notified to Sir Henry Hardinge.

Brigade-major Gahan reported to the following effect: That such processions took place very generally in Donegal and Londonderry, and numerously attended, without opposition on the part of the magistrates or the Catholics, except in the vicinities of Maghera and Magherafelt; many shots exchanged and houses burned. As to the proportion of blame ascribable to the parties, he concluded, it rested most heavily on the Orangemen, as they were strongly condemned by the moderate of their principles.

In reference to other parts of his report, the brigade-major was instructed to furnish a return of all such yeomen as he could identify, as also those whose arms were taken from them, together with names of their corps. He accordingly sent in a return of 17 men belonging to the yeomanry of Londonderry, who disobeyed the orders of Government; observing, that further identification of yeomen concerned in processions, or in the outrage at Magherafelt, he could not obtain, nor of those whose arms had been taken.

Further information having been deemed necessary upon points not sufficiently explained by Major Gahan, that officer reported that several stand of arms were taken by the Rev. Mr. Knox, and Mr. Crossley, chief constable, from Orangemen in march to attack Ribbonmen, near Maghera, on the 12th July, many of them belonging to yeomanry corps; and that these arms were surrendered by those gentlemen assembled at petit sessions, at Magherafelt, to the threats of a mob collected for the purpose, and for the forcible liberation of the prisoners taken on that occasion.

Further proceedings in this case were thought unnecessary by Sir Henry Hardinge.

The injunctions issued in 1830, with the view of discontinuing party processions, were again repeated in a communication to the brigade-majors of the same districts, bearing date the 4th July 1831. Several complaints were, notwithstanding, preferred against yeomanry corps for taking part in those processions, which led to the removal from the service of three lieutenants and a considerable number of men.

Lieutenant Thos. Irwin, Moy corps.
Lieutenant Fras. Irwin, Drummond corps.
Lieutenant Thos. Whyte, Redhills corps.

[*Note.*—Should it be necessary to refer more particularly to the several cases referred to, an abstract is annexed.]

On the 17th July, Major D'Arcy represented that processions had been very general throughout Ulster on the 12th, as appeared by a return he transmitted, showing the places at which the parties assembled, and the number of Orangemen who paraded on the occasion; observing, that except in the occurrence at Banbridge, and trifling affray at the colliery, near Dungannon, no opposition was in any instance given to their proceedings, nor had any rioting taken place. The inspector-general at the same time forwarded several reports from chief constables, in connexion with this subject.

Appendix (B. 11.)

CORRESPONDENCE and DOCUMENTS relative to the Conduct of a Party of the 74th Regiment at Tanderagee in July 1834.

Sir, Dublin Castle, 15 July 1834.

I HAVE it in command from the Lord Lieutenant to transmit herewith a letter, which has been received from Sir F. Stovin, relative to a party of the 74th regiment marching through Tanderagee, decorated with Orange lilies; and I am to desire that you will cause this matter to be investigated, and report the result for his Excellency's information.

I have, &c.

The Right Hon. the Lieutenant-General commanding, &c. &c. *W. Gosset.*

Sir, Dublin Castle, 19 July 1834.

IN returning herewith the enclosure of your letter of the 17th instant, I am directed to express the Lord Lieutenant's thanks for the communication.

I have, &c.

The Right Hon. the Lieutenant-General commanding, &c. &c. *W. Gosset.*

Sir, Dungannon, 14 July 1834.

IN obedience to the instructions conveyed in your letter of the 11th instant, I have the honour to acquaint you, for the information of the Lord Lieutenant, that I saw Messrs. P. M'Connell and D. Hutcheson yesterday at Tanderagee, the latter of whom informed me, that he had been walking to his fields on the Armagh road, on the afternoon of the 10th instant, and on returning he saw a party of soldiers halting at the end of the town, many of whom had Orange lilies in their caps; they marched on, and halted at a small inn exactly opposite his house, situated in the centre of the village, where they dispersed and remained about an hour to refresh; that on their re-forming to continue their march, he observed many of the leading files or sections decorated with these emblems; they marched off with drum and fife, but not playing a party tune; they were accompanied by a crowd, who cheered them; they marched at six o'clock, as he understood, for Banbridge: he heard that when near the other end of the town they played party tunes.

Mr. M'Connell, whose house is situated near the end of the town towards Banbridge, was sitting in a back room writing; on hearing a drum and fife playing "Protestant Boys," he went into his front parlour and saw a party of soldiers marching past, the leading files of whom had Orange lilies in their caps, as well as others dispersed through the ranks; a great crowd of people accompanied and cheered them; he heard that when the party was clear of the town some quarrelling arose amongst the men relative to the lilies. The detachment was accompanied by an officer, and were part of the 74th regiment.

I proceeded to Banbridge, when I heard from Major Crabbe (without mentioning the object of my inquiry) that a party of that regiment had arrived from Armagh at Loughbrickland, at 10 o'clock on the night of the 10th instant, under command of Lieutenant Ansell. As it appears they left Tanderagee at six, or a few minutes after, they must have been four hours marching four miles and a half.

I did not consider myself authorized by his Excellency's instructions in pursuing the inquiry, as it may become a matter for the consideration of a military court.

There cannot be a doubt of the fact, that some of the soldiers wore lilies in their caps, which were observed by the three policemen stationed at Tanderagee, as the party marched past their barracks on entering the town, but I have directed them to be silent on the subject until called upon by proper authority. Should further inquiry be instituted, I am satisfied abundant proof will be produced in support of Messrs. M'Connell's and Hutcheson's statement, without resorting to the evidence of the police.

Major Crabbe, with a detachment of the 74th regiment, and a party of the 10th hussars, had passed through Tanderagee on the same morning, for Banbridge, with the greatest regularity.

I have, &c.

Sir William Gosset, &c. &c. &c. *Fred. Stovin.*

Sir, Dublin, 11 July 1834.

I AM directed by the Lord Lieutenant to transmit to you the enclosed representation, with his Excellency's desire that you will proceed, as soon as possible, to inquire into the allegation therein contained, implicating, in a serious degree, the character of the military detachment in passing through Tanderagee.

Sir F. Stovin, K. C. B., &c. &c. &c. Dungannon. *W. Gosset.*

(B. 11.)
Army, Yeomanry, Militia and Police.

Sir, Tanderagee, 10 July 1834, 6 P.M.

In the present feverish state of the public mind in the county of Armagh, consequent upon the approach of the anniversary of the Battle of the Boyne, we think it right to acquaint you, for the information of his Excellency the Lord Lieutenant, that in the evening of this day a detachment of the 74th regiment of foot, accompanied by an officer, passed through this town on its way, we believe, from Armagh to Banbridge, for the purpose of preserving the peace on the 12th instant, and that a number of the soldiers wore Orange lilies in their caps and breasts, and a drum and fife which accompanied them played party tunes, and were loudly and repeatedly cheered by a mob which had collected in the public street on the occasion.

Such conduct in His Majesty's troops at this period is, in our humble judgment, eminently calculated to produce the worst effects in this part of the country, and to frustrate the benevolent intentions of His Majesty's Government, in allaying party spirit, and in promoting peace and good order.

We have, &c.

Sir William Gossett,
&c. &c. &c.

Patrick M'Connell.
David Hutcheson.

Sir, Royal Hospital, Dublin, 23 July 1834.

14 July.
22 July.

In returning the enclosure which accompanied your communication of the 15th instant, respecting the conduct imputed to a party of the 74th regiment when marching through Tanderagee, I have the honour to transmit herewith a letter from Major-general Macdonell, commanding the Northern District, enclosing the proceedings of a court of inquiry, held to investigate the circumstances represented, by which the Lord Lieutenant will observe, that the statement made by Colonel Sir Frederick Stovin, in regard to the detachment having been four hours in marching four miles and a half, is contradicted by the evidence adduced; his Excellency will also perceive that, although some of the soldiers of the party had Orange lilies, it was the result of accident; and immediately on its having been observed by the officer in command, that these flowers were considered to have reference to any party feeling on the part of the men, he caused them to be thrown away.

In requesting Major-general Macdonell's letter and enclosure may be returned,

Lieut. Col. Sir W. Gosset, K.C.H.
&c. &c. &c.

I have, &c.

R. H. Vivian.

Sir, Armagh, 22 July 1834.

15 July 1834, Dublin.
14 July 1834, Dungannon.

I have the honour to forward the proceedings of a court of inquiry which I directed to assemble at Belfast on the 21st instant, in obedience to the orders of the Lieutenant-general commanding, as conveyed in your letter of the 16th July. The letters which accompanied your communication are herewith returned.

I have, &c.

The Military Secretary,
&c. &c. &c.

J. Macdonell, M. Gen^l.

Proceedings of a Court of Inquiry, assembled by order of Major-general Macdonell, C.B. commanding the Ulster District; bearing date the 17th of July 1834.

President, Lieutenant-colonel Mein, 74th Regiment;
Members: Captain Harold, 74th; Captain Binney, 74th.

Belfast Barracks, this 21st of July 1834.

The Court having met, perused a letter from Lieutenant D. M. Chisholm, aid-de-camp to Major-general M'Donell, dated Armagh, 17th July 1834, directing a Court of Inquiry to be held for the purpose of investigating all the circumstances connected with a statement made by Sir Frederick Stovin, in a letter addressed to Sir William Gosset, dated Dungannon, 14th July 1834, relative to the conduct of a detachment of His Majesty's 74th regiment, commanded by Lieutenant Ansell, 74th regiment, during its march from Armagh on the 10th July to Loughbrickland.

The Court called upon the following persons to give evidence in this case:

Lieutenant *Ansell* states to the Court, that he marched from Armagh in command of the 6th (Captain Campbell's) company, 74th regiment, on Thursday, 10th July, about two o'clock in the afternoon for Loughbrickland; he halted three miles from Armagh; two cottages were on either side of the road, where the men rested about five minutes; various flowers were growing outside these cottages; the men took some of these flowers, consisting of roses, orange lilies and honeysuckles, which they placed indiscriminately in their caps, on their breast, and some carried them in their hands. The party halted again at Tanderagee, where the men were allowed to fall out for 10 minutes; but were delayed about 10 minutes longer by two men, who were absent, and who stated, they had not heard the drum, having been in a back room. The village was very crowded at the time, in consequence of a fete having been given by Lord Mandeville. When the men fell in, crowds, as usual, surrounded them. During the march from Armagh, a drummer and fifer belonging to the company played several tunes (such as are usually played); on leaving Tanderagee they played, to the best of Lieutenant Ansell's recollection, a merry Scotch tune. Lieutenant Ansell remained some few

few moments behind the company, for the purpose of giving the two men who had been absent in charge of the rear guard. He proceeded in rear of the company, as it marched out of the village; a crowd accompanied the men, shouting and cheering. Some distance down the village Lieutenant Ansell heard a great shouting, which made him suppose that some party tune was playing; he ascertained that it was so, and he immediately stopped it. A man with a jug of whiskey followed the detachment, and passed close to Lieutenant Ansell, who desired him on no account to give any to his men. The man said, the whiskey was for himself, and persisted in following the detachment: some of his friends seeing this, came up and took him away. Lieutenant Ansell further states, that after leaving the village a man with a bunch of Orange lilies ran to the roadside, distributing these flowers to the men. Finding that this distribution was connected with party feelings, he halted the detachment, and desired the flowers of every description to be thrown away. During the march from Tanderagee, a civilian commenced playing a party tune upon a fife, which Lieutenant Ansell immediately stopped; and Lieutenant Ansell declares, that to the best of his knowledge no disturbances or excitement whatever took place between the men of his detachment, on account of lilies or party tunes; and that the detachment arrived in a regular and soldierlike manner, without any stragglers, at about a quarter before eight o'clock, P. M., in Loughbrickland, having marched nearly 15 Irish miles since two o'clock P. M. of that day.

Serjeant *John Ross*, of Capt. Campbell's Company, was then called in: he stated, that he was present during the march from Armagh to Loughbrickland, in the afternoon of the 10th of July; the detachment halted at about three miles for five minutes, in the first instance; he observed nothing extraordinary in the march of the men until they left Tanderagee, at this place they had halted for about 20 minutes, on leaving it a man of the detachment had taken down a cluster of orange lilies, which had been stuck up upon a gate; some of the men carried them in their hands, others put them in their caps, and on their breasts. Lieutenant Ansell perceiving this, halted the detachment, and ordered all flowers to be thrown away. To the best of the evidence's knowledge no party tunes were played, except by a civilian; who was, however, instantly stopped by Lieutenant Ansell. The detachment reached Loughbrickland in a regular manner about eight o'clock. The evidence further states that a great crowd had assembled round the men at Tanderagee, and followed them to some distance out of town. He states that no excitement or party feeling whatever took place amongst the men during the whole march.

Acting Serjeant *Samuel Campbell*, of Capt. Campbell's Company, corroborated the foregoing statement of Serjeant John Ross.

Private *Henry Borland*, of Capt. Campbell's Company, was then called in: he stated that he was one of the detachment which marched under the command of Lieutenant Ansell, on the 10th of July from Armagh to Loughbrickland. The detachment left Armagh about half-past two, nothing occurred until they reached Tanderagee; they halted at this place about a quarter of an hour; a great crowd of people surrounded the company, calling out for party tunes; no party tunes were played by the detachment, but a civilian put himself at the head of the detachment, and played a party tune, which Lieutenant Ansell immediately stopped. Some of the men at Tanderagee, had procured orange lilies, and had stuck them in their caps; on leaving the village, a man of the place came running, and threw orange lilies amongst the men. Lieutenant Ansell on perceiving this, halted the detachment, and ordered all flowers to be thrown away. The crowds which followed the soldiers out of the place, cheered and shouted several times; no angry feelings took place amongst the men; the company arrived in a regular manner at Loughbrickland about eight o'clock in the evening.

Captain *Colin Campbell* states, that the cause of his not having marched with his Company on the 10th July was owing to the necessity of a commissioned officer remaining behind to sign the necessary documents on giving over Armagh barracks; that he himself performed this duty not being able to march with his Company, having met with an accident some days before.

J. Amlin, Lieut.-Col. 74th Regt. President.
J. C. Harold, Capt., 74th Regt. } Members.
R. Binney, Capt. 74th Regt. }

Sir, Dungannon, 29 July 1834.

I HAVE the honour to return the letter of Major-general Macdonnell, together with the proceedings of a Court of Inquiry on the conduct imputed to a party of the 74th regiment when marching through Tanderagee on the 10th instant, and to state that it is not in my power to furnish any further information on the subject; but I may observe, for his Excellency's consideration on the singular indiscretion of an officer permitting the very emblems of party to be worn by a detachment of troops on their march for the express purpose of assisting the civil power to prevent any such display; and it is evident, that the shouting and cheering at Tanderagee, and the party tune played by a civilian, were all invited by the decorations of the soldiers.

I have &c.

F. Stovin.

Sir William Gosset, K. C. H.

(B. 11.)
Army, Yeomanry, Militia and Police.

Sir, Dublin Castle, 26 July 1834.

ADVERTING to your letter of the 14th instant, respecting the conduct imputed to a party of the 74th regiment when marching through Tanderagee, I am directed by the Lord Lieutenant to transmit herewith a letter which has been received from Major-general Macdonell, commanding the Northern District, enclosing proceedings of a court of inquiry held to investigate the circumstances represented; and I am to signify his Excellency's desire that you will be pleased to afford such further information and observations as you may have to offer on this subject.

I have, &c.

Colonel Sir F. Stovin, &c. &c. &c. *W. Gosset.*

P. S.—You will please return the enclosure.

(B. 12.)

Appendix (B. 12.)

CORRESPONDENCE and PAPERS relative to the formation of Gun Clubs, and to the Oaths of Enrolment taken by Members of Yeomanry Corps in 1809, 1821 and 1831; with the Instructions issued to Brigade Majors on the late Exchange or Distribution of Arms to the Yeomanry.

Sir, Dublin Castle, 29 July 1835.

REFERRING to the order of the Select Committee respecting Orange Lodges, dated 23d instant, I have the honour to transmit herewith the papers specified in the accompanying Schedule for the purpose of being laid before the Committee, in obedience to the foregoing order.

John Wilson Patten, Esq., Chairman *T. Drummond.*
Select Committee respecting Orange Lodges.

SCHEDULE of PAPERS forwarded, to be laid before the Select Committee respecting Orange Lodges, in Mr. *Drummond*'s Letter of 29 July 1835.

Copy of the Oath of Enrolment taken by members of Yeomanry Corps in 1809, 1821 and 1831, together with the instructions issued to brigade-majors on the late exchange or distribution of arms.

Copies of all correspondence relative to the formation of Gun Clubs, with the answers returned, since the year 1831.

COPIES of all CORRESPONDENCE, Reports and Informations relative to the formation of Gun Clubs, from the Police Magistrates with the Lord Lieutenant, with the several Answers returned and Orders issued upon said Communications, since the year 1831 to the present date.

Sir, Moy, 25 February 1835.

HEREWITH I have the honour to transmit an anonymous letter, relative to Gun Clubs established in Portadown in the county of Armagh, which was handed to me this day by Lord Gosford, who conceived the informations it contained might be useful to me; also a report of chief constable Atkinson's, written in consequence of his Lordship's inquiries relative to these meetings.

I am not aware how I can legally interfere, more particularly as I am given to understand that on the nights of meeting no gun is brought into the room.

Subscriptions are merely entered into, and an order given for a gun to some individual, whose lot or turn it may be; this order is subsequently presented to the person who sells the arms, who (I believe) in general is a licensed gunsmith.

I would remark, that almost in every small town in the province these Gun Clubs are now established.

Should the law advisers of the Crown conceive I can legally interfere, I shall feel much obliged for their instructions.

I have, &c.

Colonel Sir W. Gosset. (signed) *John Gore Jones.*

My Lord, Charlemont, 2 Jan. 1835.

I BEG leave to send you the enclosed, and also to state that a Gun Club is held in the house of Thomas Ruddel of Portadown, and is attended by 130 members, and that several other Gun Clubs are held in the same neighbourhood.

I shall be most happy to attend to any direction your Lordship may give respecting the above.

I have, &c.

The Right Hon. the Earl of Gosford. (signed) *Charles Atkinson*, C. C.

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My Lord, Portadown, 22 January 1835.

(B. 12.)
Army, Yeomanry, Militia and Police.

I SHALL not detain you with long prefaces and useless apologies, but call your attention to the subject at once. You know the excited state of public feeling in this county; indeed, had you been ignorant of it heretofore, the recent atrocious outrage committed in this county might instruct you. You are not aware, my Lord, of the dangers which nightly surround the peaceable and well-disposed inhabitants in this county; we are threatened with massacre, and unless exertions are made to suppress party spirit, and to protect the public peace, the consequence will be horrid. To you, my Lord, the peaceable portion of my countrymen look up for prompt and speedy protection, and with this view I beg leave to solicit your interference in suppressing the many Gun Clubs which are now going on under the eye and sanction of the magistrates, whereby the idle, ignorant and evil disposed are arming themselves for the expected massacre. As governor of the county, you have the power of suppressing these clubs, and of disarming the rabble of their arms; I call upon you, my Lord, in the name of humanity, of your country, and the innocent people, to suppress these clubs, and call in the arms! One of these clubs meets in the house of a publican at Portadown-bridge, named Thomas Ruddle; inquire for him in Portadown, and suppress his club, and you will perform an act of mercy to thousands. Is it not monstrous, my Lord, that this Ruddle, who is a licensed publican, should harbour 40 or 50 of the most factious and furious party zealots in this Gun Club. Three guns and three bayonets are drawn each night; and for what purpose? Have we not arms enough in the country at present? Heaven knows we have too many, and the fearful results are too well known to require narration here. Well, then, my Lord, here is a licensed innkeeper, in the vicinity of Portadown, distributing arms to the neighbouring Orangemen, for a mere trifle each, tolerated by magistrates, encouraged and supplied with these arms by the arch disturber of the country's peace, Lord Mandeville, and his canting, preaching, hypocritical pimps, agents and followers, and all this in direct violation of a late Act of Parliament! I therefore implore you, as you value peace and good order, and the lives of the unarmed and peaceable inhabitants of the country, to avail yourself of your authority as governor of the county by suppressing this Gun Club at Portadown, and calling in all unregistered arms in the county. And in doing so you will perhaps stop the further effusion of human blood, and save the lives of thousands. My Lord, I dare not peril my life by giving my name, but any one in Portadown (if you take the trouble of inquiring) will inform you of the truth of what I state, and will direct you or the police to the residence of T. Ruddle.

Right hon. Earl of Gosford.

Sir, Dublin Castle, 28 February 1835.

WITH reference to your letter of the 25th instant and its enclosures, relating to the existence of Gun Clubs in Portadown, and generally through the province of Ulster, the Lords Justices desire that you will get as much information as you can respecting these Gun Clubs, and deposed to, if practicable.

John G. Jones, Esq., Moy.

I am, &c.
(signed) *Wm. Gosset.*

Sir, Portglenone, 14 March 1835.

I HAVE the honour to inform you that constable James Hegan, in charge of Ahoghill police station, this day reported to me that a number of men are formed into what is termed here Gun Clubs, and assemble in the houses of Felix Kennedy, of Grainge; —— Browne, of Grainge-corner, and Pat. M'Erlain, Cross Keys, (the latter two persons are licensed publicans,) and contribute at each meeting, in order to purchase fire-arms. The members of Browne's club are Protestant, and of the other two Roman-catholics: thus the two powerful parties in this country are arming themselves. I have been informed by Chief Constable Kennet that the fire-arms are procured at Belfast; I request instructions on the subject, as the arms are issued monthly.

I have, &c.
(signed) *M. Singleton.*

Sir William Gosset,
&c. &c. &c.

Sir, Dublin Castle, 18 March 1835.

I HAVE received your letter of the 14th instant, in regard to the existence of certain meetings, called Gun Clubs, and having brought the same under the Lord Lieutenant's consideration, his Excellency desires that these clubs may be watched, with a view to get such sworn information as may lead to the means of successful interference with them.

I have, &c.
(signed) *Wm. Gosset.*

M. Singleton, Esq., Portglenone.

(B. 12.) Army, Yeomanry, Militia and Police.

COPY of the OATH of ENROLMENT taken by the several Members of Yeomanry Corps in the Year 1809, 1821 and 1831; together with the Instructions issued by the Lord Lieutenant to Brigade Majors, on the late Exchange or Distribution of Arms to the Yeomanry.

Oath of Enrolment.

I, do sincerely promise and swear [or affirm] that I will be faithful, and bear true allegiance to his Majesty King and that I will faithfully support and maintain the laws and constitution of this kingdom, and the succession to the throne in His Majesty's Illustrious House. So help me God.

Sir, Dublin Castle, 25 February 1831.

THE Lord Lieutenant having had under consideration the several reports of the general and other officers by whom the corps of yeomanry in the province of Ulster were recently inspected, and it appearing therefrom that the whole of the arms, accoutrements, and ammunition, in possession of the corps are generally unserviceable, I am directed to acquaint you that his Excellency has deemed it expedient to determine on the immediate equipment of certain of the corps in question, named in the annexed return, with a refit of the articles specified in the margin; and the necessary orders have been accordingly given to the respective officers of the Ordnance, for issuing forthwith, from the most contiguous depôts, an adequate proportion of each article, according to the numbers of each corps stated in the return, on the application of such officers or permanent serjeants as may be deputed to receive them.

For Privates.
Muskets, with bayonets and scabbards, pouches and belts, bayonet belts.
Spears for Serjeants.
Ammunition at the rate of 60 rounds of ball cartridge to each man, with four flints, ditto.

With the view therefore of giving effect to the foregoing arrangement, it is his Excellency's desire that you will without delay take the requisite steps, in concert with the officers commanding, or other competent persons belonging to the corps, for receiving the supplies intended for their use on this occasion, as well as for returning into the Ordnance stores the whole of the arms and accoutrements now in their possession. You will likewise place yourself in communication upon these points with the respective officers, and report the result of your proceedings to Government.

I am to add, that the return now forwarded, comprises the numbers at which the future establishments of the corps therein mentioned are to be fixed; and in the instances in which there may be a surplus of officers or men, they must be considered as supernumeraries for the present.

His Excellency will leave to your discretion and judgment, in concert with the officers commanding, the distribution of the arms and ammunition with which the corps are to be furnished under the present arrangement; but if, from local circumstances or other considerations, it may be thought preferable to retain any portion of those supplies in store for some time, his Excellency trusts you will take such steps for that purpose as will effectually meet the object.

I have, &c.
(signed) *Wm. Gosset.*

To Brigade-majors Gahan, Scott, Power, Semple.

Sir, Dublin Castle, 2 March 1831.

ADVERTING to my communication of the 25th ultimo, enclosing a return of corps in your district, which are to be equipped with a refit of arms, accoutrements and ammunition, I am now directed to acquaint you, that the Lord Lieutenant having been pleased to make a further selection of corps in your district for the like purpose, the necessary orders have been given to the respective officers of the Ordnance department, for issuing to the corps alluded to, as detailed in the accompanying statement, the prescribed quantity of arms, accoutrements and ammunition, receiving into store the whole of the corresponding articles now in possession.

It is consequently his Excellency's desire that you will forthwith take such steps as may be requisite, in strict accordance with the instructions already conveyed to you in the foregoing communication, for giving effect to his Excellency's instructions in the present instance, reporting the result of your proceedings to Government.

His Excellency will leave to your discretion and judgment, in concert with the commanding officers, the distribution of the arms and ammunition with which the corps are to be furnished under the present arrangement; but if, from local circumstances or other considerations, it may be thought preferable to retain any portion of these supplies in store for some time, his Excellency trusts you will take such steps for that purpose as will effectually meet the object.

I have, &c.
(signed) *Wm. Gosset.*

P. S.—In cases where the old arms and ammunition of corps have been placed in store for security, it may be advisable that a like precaution should be observed in respect to the new supply, and particularly when, from due investigation and on communication with the captains of corps, there shall be reason to apprehend they would be otherwise liable to any other risk whatever.

To Brigade-majors Gahan, Semple, Power.

(B. 12.)
Army, Yeomanry, Militia and Police.

Sir, Dublin Castle, 7 March 1831.

Adverting to my communication of the 25th ultimo, enclosing a return of corps in your district which are to be equipped with a refit of arms, accoutrements and ammunition, I am now directed to acquaint you, that the Lord Lieutenant having been pleased to make a further selection of corps in your district for the like purpose, the necessary orders have been given to the respective officers of the Ordnance Department, for issuing to the corps alluded to, as detailed in the accompanying statement the prescribed quantity of arms, accoutrements and ammunition, receiving into store the whole of the corresponding articles now in possession.

It is consequently his Excellency's desire, that you will forthwith take such steps as may be requisite, in strict accordance with the instructions already conveyed to you in the foregoing communication, for giving effect to his Excellency's intentions in the present instance, reporting the result of your proceedings to Government.

His Excellency will leave to your discretion and judgment, in concert with the commanding officers, the distribution of the arms, ammunition, &c. with which the corps are to be furnished under the present arrangement; but if, from local circumstances or other considerations, it may be thought preferable to retain any portion of those supplies in store for some time, his Excellency trusts you will take such steps for that purpose as will effectually meet the object. In cases where the old arms and ammunition of corps have been placed in store for security, it may be advisable that a like precaution should be observed in respect to the new supply, and particularly when, from due investigation, and on communication with the captains of corps, there shall be reason to apprehend they would be otherwise liable to any risk whatever.

I have, &c.

(signed) *Wm. Gosset.*

P. S.—The Lord Lieutenant is desirous that his opinion should be known in regard to the arms being in store, in preference to being in the men's possession. Still, out of consideration for that anxious desire some of the members have manifested upon the subject, his Excellency will not insist upon its being generally adopted.

To Brigade-majors Power, Semple, Scott.

Sir, Dublin Castle, 18 April 1831.

Adverting to the circular communication addressed to you on the 5th of February last, regarding the expediency of measures being adopted for increasing the efficiency of the corps of Yeomanry in your district, I am now directed by the Lord Lieutenant to state, that as it appears by reports of the recent inspections of the corps mentioned in the margin,* that most of the members are very old, or in other respects the corps are inefficient; his Excellency does not therefore deem it expedient to re-equip those corps with new arms and appointments until they are rendered more fit to carry them, and the permanent serjeants first selected and drilled. The officers must be also efficient.

His Excellency desires me further to observe, that he would do nothing distressing to the feelings of any of those officers or of the privates; but every endeavour must be made to get rid of the old, infirm and inefficient.

An immediate communication should be held by you upon the foregoing points, with the respective commanding officers concerned, with the view to such steps being taken in conjunction with you, as will ensure the efficiency of their several corps, and thereby enable his Excellency to extend to them the measure of re-arming.

I am, &c.

(signed) *Wm. Gosset.*

To Brigade-majors Gahan, Power, Scott.

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* [Corps named in the margin.]

To Brigade Major Gahan.

County Donegal.

Ardara, Ballyshannon, Loyal Erne, Fernwater, Killybegs, Letterkenny, Mount Charles, Orwell, Raphoe and Ramelton.

To Brigade Major Power.

County Antrim.

1st. Belfast, 2d. do. 3d. do. 4th. do. 5th Loyal do. new equipped.
Connor and Staffordstown, Dunluce, Glenarm, Braid Island, new equipped.

County Armagh.

Castle Dillon

County Down.

Bangor, Mourne, new equipped; Maralin, Tyrella.

To Brigade Major Scott.

County Fermanagh.

Frelick, new equipped.

County Monaghan.

Aughnamullen.

County Tyrone.

Aughalarge, Augher and Clogher, Aughnacloy, Aughnahoe, Ballinasaggart, Caledon, Clogher, Cookstown, Dungannon, Fort Edward, Killyman, Lissau, Loughry, Moy, New-mills, Pomeroy, Stewart's-town.

(B. 13.)
Army, Yeomanry, Militia and Police.

Appendix (B. 13.)

PAPERS and Documents relative to the Prosecution of *Samuel Gault, William Murphy, William Ford,* &c. &c.

Sir, Crown-Office, Armagh, 11 July 1835.

I BEG leave to enclose herewith the Papers ordered by Parliament from my office on the 15th and 17th June 1835, to be forwarded to the Select Committee respecting Orange Lodges. Every search has been made in my office for the issue papers, containing the names of the jury who tried the indictments against Gault and others, but without effect, as they are not among the documents found by me on being appointed clerk of the Crown, this trial having taken place prior to my appointment.

I have, &c.

Sir William Gosset, &c. &c. &c. (signed) *Leonard Dobbin,* jun. Clerk Crown.

P. S.—The order names Alexander Ball, but I have not such a person's name on the books for that assizes; there has, I presume, been a mistake in taking down the name of Ball for that of Bell, which I now send.

DATE of Enrolment of William Murphy as a Member of the Tanderagee Yeomanry Corps.

WILLIAM MURPHY was enrolled a member of the Tanderagee corps of yeomanry infantry on the 15th day of October 1832.

G. W. Patton,
Captain Tanderagee Infantry.

Tanderagee, 22 June 1835.

DATE of Appointment of William Ford to the Police of the County of Armagh, &c.

WILLIAM FORD enrolled in the Armagh police, 10th December 1832; 20 years of age; Protestant; recommended by the Rev. Dean Carter; was not on the magistrates' list, formed at quarter sessions; was taken into the police to fill one of the vacancies occasioned by the transfer of six men to the county Kilkenny; at the period of his enrolment the regular magistrates' list was exhausted, and it could not be renewed until the 27th December, 17 days after Ford's appointment.

Dungannon, 22 June 1835. *Fred. Stovin,* I. P.

COPY of an Inquisition held before the Coroner, on a view of the Body of Peter Maglade, with the Evidence annexed.

County of Armagh to wit. } AN inquisition indented and taken for our Sovereign Lord the King in the townland of Derryallen, in the county of Armagh, the 28th day of June 1830, before Michael Magee, one of the coroners of our said Lord the King for the said county, on view of the body of Peter M'Glade, then and there lying dead, upon the oath of

1. James Teggart.
2. James Magill.
3. Richard Trotter.
4. Jeremiah Mains.
5. John O'Hanlon.
6. Richard Greenaway.
7. William Quinn.
8. John Best.
9. Rob. Douglass.
10. Francis Saunderson.
11. James M'Gurran.
12. James Rowley.
13. John Dimm.
14. Samuel Pepper.
15. Richard Devan.
16. James Grant.
17. John Ballance.
18. Parker Shepherd.
19. Jas. Acheson, jun.
20. Joseph Gillis.
21. John Finn.
22. Jas. Acheson, sen.
23. Robt. Mathews.

Good and lawful men, of said county, duly chosen, and who, being then and there duly sworn, and charged to inquire, for our said Lord the King, when, how and by what means the said Peter M'Glade came to his death; do, upon their oath, say, that on the night of Wednesday the 23d day of June instant, about the hours nine or ten of the clock, the said Peter M'Glade was, with others, at a bonfire in the townland of Drumnaclunta, in said county that Samuel Gault, late of Tanderagee, in said county, shoemaker, not having the fear of God before his eyes, but moved and seduced by the instigation of the Devil, with a bayonet or some triangled sharp instrument which he the said Samuel Gault then and there held and had in his hands, in and upon the said Peter M'Glade did make an assault; and that the said Samuel Gault, with said sharp instrument which he had in his hand, the said Peter M'Glade into the body under the left breast of the said Peter M'Glade did then and there wilfully thrust, stab and penetrate, and that the said Samuel Gault did then and there give unto him the said Peter M'Glade, under his left breast, one mortal wound, of the breadth of half an inch, and of the depth of four inches, of which said mortal wound the said Peter M'Glade, at Derryallen, in said county, from the night of the 23d day of June until the night

night of Saturday the 26th day of June instant, about the hour of 12 o'clock, languished and lay, when he died; and the jurors aforesaid, upon their oath aforesaid, do say that said Samuel Gault the said Peter M'Glade did kill and murder, and that James Hagan, carpenter, and William Ford, shoemaker, both of Tanderagee, in said county, and William Murphy, of Drumnaley, labourer, were present aiding and abetting the said Samuel Gault in committing the murder in manner and form aforesaid; and that the aforesaid Samuel Gault, James Hagan and William Ford have severally fled for the same. In witness whereof the said jurors and coroner have hereunto set their hands and affixed their seals, the day and year first within written.

James Tegart,	(seal).	*William Quinn,*	(seal).
James Magill,	(seal).	*John Best,*	(seal).
Richard Trotter,	(seal).	*Robert Douglass,*	(seal).
Jeremiah Mains,	(seal).	*Francis Saunderson,*	(seal).
John O'Hanlon,	(seal).	*James M'Gwern,*	(seal).
Richard Greenaway,	(seal).	*James Rowley,*	(seal).

Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, jun., Clerk Crown.

County of Armagh, to wit. } Informations of Witnesses taken in the Townland of Derryallen, in the parish of Ballymore, in said County, this 28th day of June 1830, on behalf of our Sovereign Lord the King, before me, Michael Magee, one of His Majesty's Coroners for said County, touching the death of Peter M'Glade, then and there lying dead as follows:

James Sandford, of Drumnagluntogh, parish of Ballymore, barony of Lower Orier, in said county, carman, sworn upon the Holy Evangelists, saith, That on the night of Wednesday the 23d instant, about the hours of nine and ten o'clock, there was a bonfire in his land with some children and girls. He was alarmed by the shot of a gun about the distance of three or four fields, and shortly after he heard a fife and a drum playing a party tune, called Croppies lie Down. Informant was then at the fire; the party at the fire became alarmed at hearing the fife and drum; there was some of the persons at the fire ran away; informant told them not to run away; that he would go and speak to the party who were so coming; he then went and met with said party, who amounted to about 12 persons; he did not see any fire-arms with them, save a staff or club of a stick, with William Murphy, who is labourer to the Rev. Dean Carter. Informant requested said William not to come to be raising any disturbance. Some of said party then ordered the drum to be beat up; some of the party at the bonfire struck the drum; he saw John Woods lying on the ground. Informant was then struck by said Murphy with a stick. Informant then defended himself as well as he could from said Murphy. He heard some of the party who had the drum and fife say, "Whoever of you that has the pistol, fire!" He saw Peter M'Glade, the deceased, at the fire before said party with the fife and drum came; he was then in his usual health. After said party with the fife and drum went away, he saw the said Peter M'Glade lying appearingly in a weak state of health, his skin, shirt and clothes were bloody; his sister Margaret M'Glade was lying over him lamenting; he did not then know any of said party save Murphy. Peter M'Glade is dead. The said Peter was brought home to his, M'Glade's, house, as he heard and believes; he saw a door afterwards with blood on it, on which he had been carried; the night was getting dark; the children of the neighbourhood asked permission from informant to have a fire on his hill; the fire was about 30 perches from the public road; there was not any disturbance at the fire until the arrival of the party with the fife and drum; and informant is of opinion there would not have been any disturbance thereat if said party had not come there; he saw deceased lying ill in his mother's house; he heard he died on Saturday night last. He saw James Lawless, of Drumnagluntagh, and John Woods, of same, wounded on said night; they appeared to have been stabbed with sharp instruments; on the evening of said day he had been weeding corn. There were hooks sent for to cut bushes for the fire.

Informant acknowledges to be bound to our Lord the King in the sum of 50*l.*, conditioned he will attend and prosecute the foregoing at next Armagh assizes.

James Sandford.

Sworn and acknowledged before me,
the day and year within written,
Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

Margaret M'Glade, of Derryallen parish, barony and county aforesaid, spinster, sworn, saith, she is sister to said Peter M'Glade; saith, she recollects the evening of Wednesday the 23d instant, about eight of the clock; she, with Margaret Fegan, of Mullintur, went to a bonfire which was in Sandford's field, where she remained with others; the said Peter

(B. 13.)
Army, Yeomanry, Militia and Police.

M'Glade shortly after came; they were all peaceable; about the hour of nine o'clock she heard a fife and drum playing; they came to the fire playing a tune, Croppies lie Down. James Sandford was at the fire, and owner of the field, who said this is my field, and I will not let them into it; he went to said party. William Murphy came into the field where the fire was; he put his hand behind his back, and took therefrom a stick, with which he struck said Sandford. She shortly after saw James Hagan, of Tanderagee, carpenter, strike John Woods; the said Hagan then jumped back. She saw William Forde, of Tanderagee, an apprentice to Samuel Gault, shoemaker, strike said Woods with a stone; he threw said stone at said Woods. She saw Joseph M'Kell, of Derryallen, an apprentice to Daniel M'Ilroy, carpenter, amongst said party who came to the fire. She afterwards saw Samuel Gray, of Tanderagee, an apprentice to William Merridy, of same, amongst said party; she did not see him do anything. She saw at the bonfire, and came with said party who had the fife and drum, Robert Hagan, of Tanderagee, carpenter, amongst said party who came to the fire; there was not any disturbance at the fire until the drumming and fifing party came there. Thomas Fegan, of Mullintur, called out, "Margaret, your brother Peter is killed." She went to where said Peter was; she found him sitting on the side of a corn-ridge, in a very low state; she raised his head to see was he dead or not; she said, "Peter, you are killed." He answered, "No." She said, "Peter, who done it?" He answered and said, "It was Gault." She said, "Which of them?" He answered and said, "Sam;" said Sam lives in Tanderagee, and is a shoemaker. She did not see either Sam or his brother at said fire. Thomas Fegan was standing behind said Peter. Peter was wounded under the left breast; his shirt, waistcoat and trowsers were bloody. She saw said Peter at the fire before said party with the fife and drum came; he was in his usual health. She did not see any offensive weapons with them save a stick which William Murphy had. A little before said party came to the fire she heard a shot fired at some distance. When said party came into the field a fight took place; the aforesaid William Murphy was the first who began the fight, by striking Sandford with a stick. She called on her brother Edward, and told him her brother was killed. Said Edward said to Murphy! "Murder! my brother is killed!" when Murphy said, "M'Glade, you will have to fight me before you leave the ground.' Informant begged of said Murphy to let him alone, that her brother was killed. The said Peter M'Glade was brought home to her mother's house; he had a wound on the left breast; at the hour of 12 o'clock on Saturday night he died, and is certain said wound was the cause of his death. Said Peter said often it was with a bayonet he was stabbed by Gault.

Informant acknowledges to be bound to our Lord the King in the sum of 50 *l.*, conditioned she will prosecute the foregoing at next Armagh assizes.

her
Margaret × *M'Glade*,
Mark.

Sworn before me the day and year aforesaid.

Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

John Woods, of Drumnagluntagh parish, barony and county aforesaid, farmer, sworn, saith, that on the night of the 23d instant he was standing in his father's door. About the hours between nine and 10 o'clock a mob of boys came by his father's door; they turned into William Hare's garden, and went into James Sandford's field of oats; informant followed after them. James Hagan, one of the party, said, "Come by the head of the field," which they did; saith he knew amongst said party William Murphy, of Drumnaley, James Hagan, of Tanderagee, William Ford, of Tanderagee, an apprentice of Samuel Gault, shoemaker, John Laverty, servant to the Rev. Dean Carter; they, with others, proceeded to the fire; thinks there were about 12 or 13 of them in all; they began, when within about six perches of the fire, playing party tunes; said William Ford played the fife; they went near to where the fire was. James Sandford went to William Murphy, who headed them into the field; James Sandford said to Murphy he wanted no fighting there. Informant went and struck the drum with his foot; Sandford and Murphy fell against the ditch. There were two men of said party on top of said Sandford, appearing to be abusing said Sandford; he saw a person with a bayonet, as he thinks, in his hand, going towards Sandford, with an intention of striking him, as informant believes; Sandford got up. James Hagan had some instrument in his hand like a bayonet, with which he attempted to stab informant several times, and shouted out to the person who had the pistol to fire it; he is certain it was James Hagan, of Tanderagee, carpenter. William Ford, of Tanderagee, struck informant several times with stones. Informant heard that Peter M'Glade was struck. Informant received two stabs with a bayonet, as he thinks, one above his navel, and the other under his left rib or his loin; thinks it was William Ford's brother who stabbed him. There was a rumour that deceased was struck; he went to where he was, and found him lying on his side; he was bleeding; his sister, Margaret M'Glade, was holding up his head; he saw the said Peter a carrying home on a door. He is certain that all the persons beforementioned, viz. William Murphy, James Hagan, William Ford and John Laverty, were in the field where the bonfire was; they were with the party who had the fife and drum. James Lawless was struck with stones,

stones, and was stabbed in the arm. Informant does not know who stabbed the deceased; he did not see said Laverty assault any person on that night.

Informant acknowledges to be bound to our Lord the King in the sum of 50*l.*, conditioned he will prosecute the foregoing at next Armagh assizes.

his
John × *Woods*,
Mark.

Sworn and acknowledged before me, the day and year aforesaid,
Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

James Lawless, of Drumnagluntagh aforesaid, farmer, sworn; saith he recollects the night of the 23d instant; he was working at his potatoes until about the hour of nine and 10 o'clock; he was returning home to his house, and passed a bonfire, which was on the hill of James Sandford, of Drumnagluntagh; when about four perches past the fire, he heard boys coming towards the fire, beating a drum and a fife, playing "Croppies Lie Down;" they came forward to the fire; he thinks there were about eight or 10, amongst whom he saw and knew William Murphy, of Drumnaley, foremost, James Hagan, of Tanderagee, carpenter, his brother, Robert Hagan, of same, —— Ford, of Tanderagee, shoemaker, who he thinks his christian name is William, a person named Greenaway, aged about 20 years, whose christian name or residence informant does not at present know, he would know him if he saw him; there was also a person of the name of Gault, whose christian name informant does not know; he is a shoemaker to trade; he resides in Tanderagee; the other persons he does not at present know. Tanderagee is distance about three-fourths of a mile from where said bonfire was; when they were near the fire, the expression they made use of was, "Go on, like boys, and kick out the fire;" it was two or three of said party who expressed these words. He saw William Murphy leap over the rails, which is about five perches distance from where the fire was, with a large club of a stick in his hand; his uncle, James Sanford, came forward to Murphy, and requested him, Murphy, to bring the boys home, when immediately after Murphy struck Ranford or Woods; they were convenient to each other; it was with a stick; when the aforesaid Gault came forward to informant, and stabbed him on his left arm; he thinks it was with a bayonet he was stabbed. He did not see anything done to the aforesaid Peter M'Glade; he saw him at the fire in his usual health, about five minutes before he, informant, was stabbed; and about 10 minutes after he saw said Peter where he was stabbed. Informant saith, said Gault, after stabbing informant, went in the direction of where Peter M'Glade then was.

Informant acknowledges to be bound to our Lord the King in the sum of 50*l.*, conditioned he will prosecute the foregoing at next Armagh assizes.

James Lawless.

Sworn and acknowledged before me, the day and year aforesaid,
Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, Jun. Clerk Crown.

Edward M'Glade, of Derryallen aforesaid, labourer, sworn; saith he recollects the night of the 23d instant; that between the hours of nine and ten of the clock on said night the said Peter M'Glade was with informant and others at a bonfire on the hill of James Sanford, of Drumnagluntagh, some distance from the public road. Saith he saw about 12 persons coming towards said fire; they were playing a fife and beating a drum; they came in a body; there were two of said persons had sharp weapons; he thinks bayonets; the persons who had them were James Hagan, of Tanderagee, carpenter, and Samuel Gault, of same, shoemaker; William Murphy, of Drumnaley, was amongst them; he had a stick in his hand; William Ford, of Tanderagee, an apprentice of said Gault's, was there; Samuel Ray, apprentice of William Merridy's, of Tanderagee, was also there. He saw John Laverty, of Drumnaley, was also of said party; he saw him on the top of a ditch at the road-side, when he said, "Edward, if I knew you or your brother Peter would be hurted, I would not be here this night;" this was after the said Peter M'Glade had received the stab. When said party were approaching to the fire, James Sanford went to said Murphy and asked him where was he going, and said a few of the neighbours' children had made the fire. Murphy had a stick in his hand, and made at said Sanford and struck him with it; they both engaged and jostled each other; informant went and took a hold of the stick, when James Hagan came up with a sharp instrument, and informant requested of said James to stand back; he made forward to informant, and said he would put said instrument into informant; informant stooped down and lifted a stone, told him to keep off. Samuel Gault was on the right side of informant; he had a sharp instrument like a bayonet in his hand; informant kept said Hagan and Gault off him. William Ford, of Tanderagee aforesaid, threw stones at him, but none of them struck him. Informant heard his sister Margaret crying, saying her brother was stabbed. Thomas Fegan came and told him his brother was stabbed. Informant then went to said Peter and found him sitting on the side of a ridge, his head stooped, and in a

 bad

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bad state of health; informant asked him, "Peter, who done that?" or, "Who stabbed you?" he answered and said, "It was Samuel Gault." Informant saw in the hands of Samuel Gault a sharp instrument after the said Peter was stabbed; it was after the said Peter was stabbed the attack was made on informant; saith said Gault came from the direction where the said Peter M'Glade lay; said Gault, William Ford and Hagan then made away; his brother was brought home; saith he had different conversations with said Peter after he received said stab until his death, which was on Saturday night about 12 o'clock, when he still said it was Samuel Gault who stabbed him; he thinks said Peter had not any expectation of recovering from his illness.

Informant acknowledges to be bound to our Lord the King in the sum of 50*l.*, conditioned he will prosecute the foregoing at next assizes.

his
Edward × *M'Glade,*
Mark.

Sworn before me the day and year aforesaid.
Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

John Kennedy, of Howdock, in the parish, barony and county aforesaid, weaver, sworn; saith he remembers the night of the 23d of June instant; he was at the bonfire at Drumnagluntagh aforesaid; that about the hour of nine o'clock he heard a fife playing and drum beating; they came in the direction from Tanderagee; he thinks there were about 12 of them; they were coming together; they came off the public road to the bonfire; he saw William Ford, of Tanderagee, playing the fife; John Greenaway beating the drum; it was a large drum. John Woods, of Drumnagluntagh, and John Greenaway began fighting, when a general battle commenced; James Hagan, of Tanderagee, was there; he did not know any more of them; when he saw them approaching the fire he left it; they began fighting when said party came to the fire; in about the space of 10 minutes after he heard from Edward M'Glade that his brother Peter was bleeding to death; he left the crowd and went for a doctor: he did not see the said Peter M'Glade assaulted by any person; there was not any disturbance at the fire until the party with the fife and drum came there; he did not see any fire arms or bayonets with any of the parties.

Informant acknowledges to be bound to our Lord the King in the sum of 50*l.*, conditioned he will prosecute the foregoing at next Armagh assizes.

his
James × *Kennedy,*
Mark.

Sworn and acknowledged before me the day and year aforesaid.
Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

George Washington Patton, of Tanderagee, parish, barony and county aforesaid, esq., M. D., sworn; saith, on the night of Wednesday the 23d day of June instant, between the hours of 10 and 11 o'clock, he was called on to visit Peter M'Glade, the deceased, who had been stabbed; he went to the said Peter immediately, he found him in a bed in his mother's house in Derryallen; he was faintish, pale, and covered with perspiration, moaning considerably; he found that he had received a wound in his left side, a small triangle wound; he asked him if he knew what position he was standing in when he received the wound; he did not seem to understand the question, and he answered and said it was Sam Gault who stabbed him; he told him he did not ask him who stabbed him, but asked him in what position he was in, when M'Glade said he came up to him in the field and stabbed him. Informant is of opinion that said M'Glade thought he was then dying. Informant dressed his wound, ordered him some medicine, and about 12 hours after, on Thursday, he again saw him, he then complained of pain about the wound, and a difficulty of breathing; he bled him largely, which seemed to relieve him a little, and he saw him again on Friday evening, he then seemed cheery, and had some hopes of his recovery. He did not see him after until he saw his body this day. He has this day opened his chest, and found the wound he received was between the fifth and sixth ribs on the left side, passed diagonally forward and entered the chest, passed through the pericardium, and penetrated the fleshy part of the heart. He is certain said wound was the cause of his death; saith said wound was inflicted by some triangular sharp instrument, something like a bayonet; it was about the breadth of half an inch, and of about the depth of four inches. He hath heard that Samuel Gault of Tanderagee has fled for the aforesaid offence.

Informant acknowledges to be bound to our Lord the King in the sum of 100*l.*, conditioned he will prosecute the foregoing at next Armagh assizes.

G. W. Patton.

Sworn and acknowledged before me the day and year aforesaid.
Michael Magee, Coroner.

(A copy.)
Leonard Dobbin, Jun. Clerk Crown.

(B. 13.)
Army, Yeomanry, Militia and Police.

COPIES of the Bills of Indictment against *Samuel Gault*, *William Murphy* and *William Ford*, &c. &c.

County of Armagh, to wit. } THE jurors of our Lord the King, upon their oath, say and present, that Samuel Gault, late of the parish of Ballymore, in the county of Armagh, yeoman, on the 23d day of June, in the 11th year of the reign of our late Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms; that is to say, with swords, sticks, and so forth, at the parish aforesaid, in the county of Armagh aforesaid, in and upon one James Lawless, a true and faithful subject of our said Lord the King, in the peace of God and of our said Lord the King, then and there being, did make an assault, and him then and there did beat, wound and ill-treat, so that his life was greatly despaired of, and other wrongs to him then and there did, contrary to the peace of our said Lord the King, his Crown and dignity.

Sum[r] 1830. Cust.

True Bill,
Acheson, Self and Fellows.

(A true copy.)
Leonard Dobbin, Jun., Clerk Crown.

County of Armagh, to wit. } THE jurors of our Lord the King, upon their oath, say and present, that William Murphy, late of the parish of Ballymore, in the county of Armagh, yeoman, on the 23d day of June, in the 11th year of the reign of our late Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms, that is to say, with swords, sticks, and so forth, at the parish aforesaid in the county of Armagh aforesaid, in and upon one James Sanford, a true and faithful subject of our said Lord the King, in the peace of God and of our said Lord the King, then and there being, did make an assault, and him then and there did beat, wound and ill-treat, so that his life was greatly despaired of, and other wrongs to him then and there did, contrary to the peace of our said Lord the King, his Crown and dignity.

Sum[r] 1830. Cust.
Ent[d] 68.

True Bill,
Acheson, Self and Fellows.

(A copy)
Leonard Dobbin, Jun., Clerk Crown.

County of Armagh, to wit. } THE jurors of our Lord the King, upon their oath, say and present, that William Ford, late of the parish of Ballymore, in the county of Armagh, yeoman, on the 23d day of June, in the 11th year of the reign of our late Sovereign Lord George the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms, that is to say, with swords, sticks and so forth, at the parish aforesaid, in the county of Armagh, in and upon one Edward M'Glade, a true and faithful subject of our said Lord the King, in the peace of God, and of our said Lord the King then and there being, did make an assault, and him then and there did beat, wound and ill-treat, so that his life was greatly despaired of, and other wrongs to him then and there did, contrary to the peace of our said Lord the King, his Crown and dignity.

Sum[r] 1830. Cust.
Ent[d] 70.

True Bill,
Acheson, Self and Fellows.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

County of Armagh, to wit. } THE jurors of our Lord the King, upon their oath, say and present, that James Hagan, late of the parish of Ballymore, in the county of Armagh, yeoman, and William Ford, late of the same parish, yeoman, on the 23d day of June, in the 11th year of the reign of our late Sovereign Lord George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms, that is to say, with swords, sticks and so forth, at the parish aforesaid, in the county of Armagh, in and upon one John Woods, a true and faithful subject of our said Lord the King, in the peace of God, and of our said Lord the King, then and there being, did make an assault, and him then and there did beat, wound and ill-treat, so that his life was greatly despaired of, and other wrongs to him then and there did, contrary to the peace of our said Lord the King, his Crown and dignity.

Sum[r] 1830. 1 Cust.
Ent[d] 69.

True Bill,
Acheson, Self and Fellows.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

(B. 13.)
Army, Yeomanry, Militia and Police.

County of Armagh, to wit. } THE jurors of our Lord the King, upon their oath, say and present, that Samuel Gault, James Hagan and Robert Hagan, all late of the parish of Ballymore, in the county of Armagh, yeomen, on the 23d day of June, in the 11th year of the reign of our Sovereign Lord George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms, that is to say, with swords, sticks and so forth, at the parish aforesaid, in the county of Armagh, in and upon one James Meighan, a true and faithful subject of our said Lord the King, in the peace of God, and of our said Lord the King, then and there being, did make an assault, and him then and there did beat, wound and ill-treat, so that his life was greatly despaired of, and other wrongs to him then and there did, contrary to the peace of our said Lord the King, his Crown and dignity.

Sum[r] 1830.

True Bill,
Acheson, Self and Fellows.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

County of Armagh, to wit. } THE jurors for our Lord the King, upon their oath, do say and present, that Samuel Gault, James Hagan, William Murphy, Robert Hagan, Joseph M'Kee, John Greenway, John Laverty, Samuel Wray and William Ford, all late of the parish of Ballymore, in the county of Armagh, yeomen, together with divers other persons, to the number of 10 and more, to the jurors unknown, on the 23d day of June, in the 11th year of the reign of our late Sovereign, Lord George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland then King, Defender of the Faith, and so forth, and in the year of our Lord 1830, with force and arms, that is to say, with swords, sticks and so forth, at the parish aforesaid, in the county of Armagh aforesaid, did riotously, routously and tumultuously assemble and associate themselves together to disturb the peace of our said late Lord the King, and being then and there so riotously routously and tumultuously assembled and associated together as aforesaid, did then and there make a great noise, riot, tumult and disturbance, and did remain and continue together making such noise, riot, tumult and disturbance for a long space of time, to wit, for the space of one hour and more then next following, to the great terror and disturbance not only of the liege subjects of our said late Lord the King there and thereabouts inhabiting, residing and being, but of all other the liege subjects of our said late Lord the King, there passing and repassing in and along the public streets and King's common highways there, in contempt of our said late Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said late Lord the King, his Crown and dignity.

James Sandford.	John Woods.
Margaret Fegan.	James Lawless.
James Fegan.	Edward M'Glade.
James Meighan.	John Kennedy.
Margaret M'Glade.	G. W. Patton, M. D.

Sum[r] 1830. 2 Cust.
Ent[d] 67.

True Bill,
Acheson, Self and Fellows.

(A copy.)
Leonard Dobbin, Jun., Clerk Crown.

County of Armagh, to wit. } THE jurors for our Lord the King, upon their oath, do say and present, that Samuel Gault, late of Tanderagee, in the county of Armagh, yeoman; James Hagan, late of the same, yeoman; William Ford, late of the same, yeoman; and William Murphy, late of the same, yeoman; not having the fear of God before their eyes, but being moved and seduced by the instigation of the Devil, on the 23d day of June, in the eleventh year of the reign of our late Sovereign Lord George the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms, that is to say, with swords, sticks, and so forth, at the parish of Ballymore, in the county of Armagh aforesaid, in and upon one Peter M'Glade, a true and faithful subject of our said late Lord the King, in the peace of God and of our said late Lord the King, then and there, being feloniously, wilfully, and of their malice aforethought, did make and assault; and that the said Samuel Gault, with a certain bayonet of the value of 1*s.*, which he, the said Samuel Gault, in his right hand then and there had and held, the said Peter M'Glade in and upon the left breast of him, the said Peter M'Glade, then and there feloniously, wilfully, and of his malice aforethought, did strike and thrust, giving to the said Peter M'Glade then and there with the bayonet aforesaid, in and upon the said left breast of him, the said Peter M'Glade, one mortal wound of the breadth of half an inch and of the depth of four inches, of which said mortal wound the said Peter M'Glade, from the said 23d day of June in the year aforesaid until the 26th day of the same month in the year aforesaid, at the parish aforesaid, in the county aforesaid, did languish, and languishing did live on; which said 26th day of June, in the year aforesaid, the said Peter M'Glade, at the parish aforesaid, in the county aforesaid, of the said mortal wound died. And the jurors aforesaid, upon their oath aforesaid, do say that the said James Hagan, William

liam Ford, and William Murphy, on the day and year aforesaid, with force and arms, at the parish aforesaid, in the county aforesaid, feloniously, wilfully, and of their malice aforethought, were present aiding, abetting, and assisting the said Samuel Gault the felony and murder aforesaid to do and commit; and so the jurors aforesaid, upon their oath aforesaid, do say that the said Samuel Gault, James Hagan, William Ford, and William Murphy, the said Peter M'Glade, in manner and form aforesaid, feloniously, wilfully, and of their malice aforethought, did kill and murder, against the peace of our said Lord the King, his Crown and dignity, and contrary to the form of the statute in such case made and provided.

True Bill,
Acheson, Self and Fellows.

(A copy.)
Leonard Dobbin, Jun. Clerk Crown.

Appendix, (B. 14.)

REPORT of *Maziere Brady*, Esq., together with the Evidence taken at the Investigation which recently took place at *New Ross*, into the Conduct of the Police, concerning the Establishment of Orange Lodges in the Force.

Sir, Dublin, June 27, 1835.

In compliance with his Excellency the Lord Lieutenant's commands, as conveyed to me by your letter of the 15th instant, I proceeded to New Ross, for the purpose of holding an investigation into certain charges which had been preferred against Chief-constable Hatton, and I have the honour to transmit herewith the evidence given before me on the 18th instant, upon the inquiry which I held on that day.

I did not obtain any more direct evidence of the members of the constabulary under Chief-constable Hatton's command at New Ross having joined an Orange lodge there, than had been previously brought before Major Browne and Captain Hamilton, on the 29th and 30th of May, as reported in their minutes of the inquiry then had before them; except the acknowledgment of Sub-constable Thomas Coe, that he heard two of the men (Sub-constables Algeo and Rawson,) say that they belonged to a lodge.

No person came before me to give evidence in support of the charge, save Mr. Patrick Magee, who had been examined on the former inquiry. Mr. Sherlock, who had also been examined on that inquiry, did not attend on the present occasion, and Mr. Crawford, master of the endowed school, by whom the charges were first preferred, did not appear before me to offer any evidence in support of them. The inquiry was public and attended by several persons, and I more than once asked if there was any person present who had any evidence to give on the subject; Mr. Magee stated that he did not know of any person in the town who would give evidence relative to the investigation.

The evidence of Mr. Magee, and the former evidence of Mr. Sherlock, appeared to me to raise so strong a case of suspicion, that the charge was to some extent well founded, that I considered it necessary to call on the members of the constabulary, who had been under Chief-constable Hatton's command at the period in question, to be examined on the subject. The result will be found in the Report of the evidence sent herewith, from which it appears, that two of the men named in the document referred to by Mr. Magee, and which evidently purported to be a minute of the proceedings of an Orange lodge, refused to answer any questions on the subject. These men are, Henry Irwin, sub-constable, and Abraham Colleton, sub-constable; and the third, policeman, named therein, George Corbet, sub-constable, although he denied having joined the lodge, declined swearing to that effect. William Wilson, constable, who had acted as serjeant to Chief-constable Hatton, and through whom positive orders had been given to the men not to connect themselves with such proceedings, also declined being examined; as did John Algeo, sub-constable, William Gordon, sub-constable, and Andrew Wilson, sub-constable, although they severally denied, on oath, that they belonged to the lodge, refused to answer particular questions as to applications made to the policemen to join such an institution elsewhere. Joseph Sutcliff, constable, fully denied the charge, admitting that he had been an Orangeman before he joined the constabulary, but had not since been in a lodge. Robert Rawson, sub-constable, who is mentioned in the evidence of Thomas Coe, was absent on leave, as was also James M'Namara, a Roman-catholic, who had been examined on the previous inquiry. Hugh Brady, also a Roman-catholic, had been examined on the previous inquiry, and I did not consider it necessary to examine him again.

Except so far as the evidence of Sub-constable Thomas Coe may affect Sub-constables Algeo and Rawson, I do not find that the charge has been carried beyond a case of suspicion, materially strengthened by the conduct of those who have declined to answer any questions on the subject of it. Fully admitting the general principle of law, that no man is bound to criminate himself, I would humbly submit to the consideration of his Excellency, that in judging of the conduct of a public servant, much weight must be attached to his availing himself of this protection, when called on by the proper authority to exculpate himself from an imputed violation of public duty.

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In reference to the individuals who have declined to give evidence as to the conduct of others, their conduct cannot be defended on the same principle, and they appear to me in so doing, to be guilty of a plain breach of duty in withholding such information from their superior officer and from the Government.

Chief-constable Hatton appears from the first to have exerted himself to caution the men under his charge against connecting themselves with such proceedings, and to have been sensible of the extreme impropriety of their doing so. There is no ground whatever to impute to this officer the slightest participation in the formation of an Orange lodge in the town; on the contrary, he appears on every occasion to have deprecated and condemned it, as much in his communications with his men as with other persons, and to have reported on the subject to his superior officer.

Except in his communications with his men, and his visit to Mr. Magee, it does not appear that Chief-constable Hatton made any particular exertions to ascertain the truth of the charge made against the police, or to discover the guilty parties. Whether the exercise of greater vigilance in this respect might have led to the establishment by clear evidence of the accusation against any of the persons suspected, I am not able to say, but I think it plain from what has transpired on this and the former inquiry, that Chief-constable Hatton should be recommended to keep a very careful watch over the conduct and movements of the police force stationed under his charge at New Ross, with a view to the prevention of proceedings, such as those now complained of, and the detection of the parties who may in future be guilty of participating in them.

I have, &c.
(signed) *Maziere Brady.*

MINUTES of EVIDENCE taken at *New Ross* on Thursday June 18th, 1835, on an Investigation of certain Charges against Chief-constable *Hatton.*

Mr. *Patrick Magee* sworn; says he resides at New Ross; does not of his own knowledge know of any of the police force at New Ross being concerned in any Orange lodge; had a conversation with Mr. Hatton on the subject about six or eight weeks back. Mr. Hatton, with one or two other persons, called at witness's office; said he called on him to know if there was any truth in his having a document said to contain some of the policemen's names respecting an Orange lodge. Witness said he had such a document, a copy of which he read for him. Mr. Hatton said he would send them out of this, or about their business, if that was the case; he admitted that the names were the names of persons in the police force; the names are George Corbett, Irwin and Abraham Coleton; thinks that the document is not in the handwriting of any policeman.

[It was here admitted by Chief-constable Hatton that these names are names of policemen, but that there is another person in New Ross of the name of Irwin.]

The witness stated to Mr. Hatton that he was about getting up a memorial to the Government on the subject, and would get all the Protestants in New Ross to sign it, to show that they were not of the institution. Mr. Hatton wished him not to do anything until he saw the witness again, as his men were concerned in it; did not give Mr. Hatton a copy of the document, or the original; did not again see Mr. Hatton on the subject until the investigation;* did not go on with getting up the memorial; was recommended to wait by another gentleman whom he consulted; that recommendation was not from any of the police; did not call on Mr. Hatton to remind him of the matter; does not of his own knowledge know of anything being done by Mr. Hatton on the subject. The document purports to contain proceedings showing that the parties were connected with an Orange lodge.

* The former investigation before Major Brown and Captain Hamilton.

[The document was handed to me, and purported to be, "At a Meeting of the Ross Loyal Orange Lodge, No. ," &c.]

It was not matter of notoriety in Ross, previously to that document being found, that the police were connected with an Orange lodge; but witness had some information himself previously on the subject; has heard that Mr. Hatton was in Dublin when the document was found; it is dated the 8th of April; cannot say whether Mr. Hatton was in Dublin on that day. Mr. Hatton expressed himself displeased at his men being concerned in anything of the kind. He stated, on the occasion of the conversation, that he had spoken to his sergeant about it as soon as he heard the thing mentioned. He did not state the name of the sergeant. Mr. Hatton said he had a letter on the subject from Mr. Tottenham. Did not see Mr. Sherlock to-day.

William Wilson, constable, being called on by me to say if he would give evidence on this occasion, objected to being sworn, and stated that he had objected before. I told him he must act on his own responsibility; that I intended to call on each member of the police force to give evidence on this occasion. I also told him that, by being sworn he would not be bound to answer any particular question which might be afterwards put to him; but that in objecting to answer any such particular question, he would act also on his own responsibility.

He repeated his objection to being sworn.

He also declined to answer any question put to him without being sworn.

He stated that he had no objection to being examined to any communication between himself and Mr. Hatton.

He

He objected to state why he refused to be examined generally, but said his objection was principally as it might affect others; that he understood he was charged with this offence with others; that he was ready to take his trial, but declined giving any evidence.

I then agreed, at Mr. Hatton's request, to examine Constable Wilson as to his communications with Mr. Hatton. He was then sworn, and stated that Mr. Hatton had, previously to the document above mentioned being found, given orders to him (the witness) to caution the men against being connected with this lodge, or anything of the kind; he had given such orders more than once; he gave such orders to the witness, that he might communicate them to the men. Mr. Hatton assembled the men and cautioned them against such proceedings, and expressed his entire disapprobation of anything of the kind.

Mr. *Patrick Magee* was then examined by Sub-constable Henry Irwin, and stated that he knows of another person of the name of Irwin in the town; that he could not tell whether the name (Irwin, stated in the document above,) is the name of that other person or of the said Henry Irwin; but if asked his opinion, would give it.

Henry Irwin, sub-constable, being called on, declined being examined on this occasion. I told him, as I had told Constable William Wilson, that he must act on his own responsibility. He stated that he objected to be examined partly on account of others; that he objected to give evidence as being impeached.

Abraham Colleton, sub-constable, also objected to be examined. He stated that he objected on account of his name being on the document mentioned by Mr. Magee.

William Gordon, sub-constable, sworn; is one of the police force under Captain Hatton; has been better than a year stationed in Ross; does not belong to, nor has joined any Orange lodge in the town; has known Captain Hatton caution the men repeatedly against such proceedings; recollects hearing of a document having been found in the town; cannot recollect if Captain Hatton cautioned the men against such proceedings before that document was found, but he often cautioned them; cannot recollect that he did so before the assizes. Captain Hatton told Sergeant Wilson to warn the men, and Sergeant Wilson did so. Captain Hatton warned them himself also. Thinks he did not hear of a lodge being in the town before the document was found; is a Protestant; never was applied to by any policeman to join an Orange lodge in the town of Ross. Being asked if he was applied to by any policeman to join an Orange lodge anywhere else, declines to answer that question. Being asked if, since he came to Ross, he was applied to by any policeman to join an Orange lodge anywhere, declines to answer the question; declines to answer because he does not think it right to answer it; never made any report on the subject to Captain Hatton; says he does not think he ever heard from any of the police of the town that there was an Orange lodge in the town; knows nothing about the police going to a lodge in this town.

Joseph Sutcliff, constable, sworn; does not know of any of the police of Ross attending an Orange lodge, or belonging to one; never heard of it from any of the policemen. Has heard Captain Hatton often express his displeasure at the men attending such meetings; does recollect Captain Hatton cautioning the men against such proceedings before the document was found; he cautioned the men in general. Never was applied to to join the lodge in this town. Had the honour of being an Orangeman 18 years ago, but has not been in a lodge since he joined the police establishment, which is 13 years. Does not know of any report having been made to Captain Hatton of any individual having joined an Orange lodge. Was not present at any time when Captain Hatton asked the men individually if they belonged to an Orange lodge. Believes that when he heard of the document he heard of the names which were in it. Believes Captain Hatton did speak to the men whose names were reported as having been in that document, but does not recollect being present when he did so. To a question put by Chief-constable Hatton, says, that after the finding the document, he recollects Captain Hatton having assembled the men; he stated the names of the men who were reported as being mentioned in it, and said he would send them in to Captain Hamilton; thinks this was about a week after he heard that the document was found; it was very shortly after Captain Hatton came from Dublin. On that occasion the men Irwin and Colleton denied the charge. Is not certain whether Carbet was there or not. Witness resides with the rest of the men in the barracks; is certain no lodge was ever held in the barrack. Captain Hatton frequently visits the barrack. The men can go where they like about the town; they must be in the barrack at 10 o'clock at night; there is not any regular check on the men leaving the barrack during the day-time after parade hours; there is no rule that a certain number should always be in the barrack; one or two stay as the barrack guard, it is often left with but one; the men may go about a mile or two, and be absent half an hour or an hour; they tell the barrack guard where they are to be found; but they may go out without doing so; a number of the men might be absent at a lodge or elsewhere without it being known to the barrack guard or to Captain Hatton.

Peter Burne, constable, sworn; has been in charge of the police barrack at Clonroche. In the day-time, while the gate is open, the men must ask leave to go out, and state where they are going, and their business. The hour for closing the gate is 10 o'clock in summer, and eight in winter. Understands it is the general rule of the district that the men leaving the barrack should report themselves to the sergeant in charge of the station; recollects a man being fined at the instance of Mr. Hatton for being absent from the barrack at Clonroche without leave. (Witness was not one of the New Ross police at the period of the alleged

 proceedings;

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proceedings; he had come from Clonroche only a day or two before this inquiry, and was examined merely to show the rule of the district as to men leaving the police barrack.)

William Wilson, constable, re-examined at the request of Chief-constable Hatton, says, he was in charge of the police barrack of New Ross 15 months; when men wanted to go beyond the town they had to apply for leave to him; he in very few instances gave it without applying to Mr. Hatton; but if they wanted merely to go into or about the town, they did not apply for leave; they were expected to be about the streets, they might go in and out of the barrack as they pleased if only going into the town; understood it to be the duty of the police to be in the streets during the day; there was no regular day patrol; two men were always to attend the deputy sovereign of the town at the Tholsel. Mr. Hatton's directions were to see that every man was in the barrack at the hour of closing for the night. An orderly is left in charge of the barrack every day.

Andras Wilson, sub-constable, sworn; does not know of any of the police of this town belonging to an Orange lodge; does not belong to it himself; never was applied to by any of the police of Ross to join a lodge in the town. Being asked if he was applied to by any of the Ross police to join a lodge anywhere else, declines to answer the question. Does not, nor ever did belong to any Orange lodge; does not know of any of the police of Ross belonging to a lodge anywhere, none of them ever told him they did. Head-constable Wilson gave orders from Captain Hatton against the men joining such societies.

John Algeo, sub-constable, objects to being examined; will defend himself if charged, but will not give evidence.

Thomas Boralin, esq., J. P., sworn, states, in addition to the evidence given by him on the former investigation, that Mr. Hatton was the first person who gave him any information of there being an attempt to establish an Orange lodge in this town; this was very soon after the Ross election; he appeared very angry, and said that some person was tampering with his men, wanting them to join such an association, and that he thought he could stop his men from joining them.

James Talbot, esq., J. P., sworn; recollects at last assizes Captain Hatton told him an attempt had been made to get some of his men to join in an Orange lodge, but that he had set his face against it, as also did Mr. Tottenham.

Mr. *Patrick Magee* being asked if he knew any person in the town who could give evidence in relation to the investigation, said he did not.

Joseph Sutcliff, constable, re-examined; does not recollect Captain Hatton particularly remarking that one of the men had been reported to have applied for a room to hold the lodge.

William Gordon, sub-constable, re-examined; does not recollect Captain Hatton particularly remarking that it was complained that one of the police had applied for a room to hold the lodge in; recollects that Captain Hatton said he had been told that the lodge had been held in the barrack during his absence.

Thomas Coe, sub-constable, has been two years in the Ross police to the 1st June; Captain Hatton was on the station the same time; does not of his own knowledge know of any of the police being in an Orange lodge; first heard a report to that effect in the town about three months ago; was told by some of the policemen that they had joined an Orange lodge; M'Namara told him so; M'Namara is a Roman-catholic; did hear other men say that they belonged to a lodge; Algeo and Rawson said so; the men were sober when they told him they joined a lodge; does not recollect that it was at the same time that M'Namara said he had joined the lodge that the others said so, thinks it was in joke; witness in joke asked M'Namara to join it, did not tell this to Mr. Hatton; heard through the men that Mr. Hatton had ordered them not to join lodges; heard Serjeant Wilson give such orders to the men. Rawson is absent on leave.

George Corbet, sub-constable, objects to being sworn; has heard that his name has been mentioned as being in a document connected with an Orange lodge; it is not true that he did join such lodge; never did belong to it; objects to swearing so.

Thomas Brahin, esq., re-examined; was present when Mr. Sherlock was examined on the former inquiry; he was asked on that occasion to tell the name of the policeman who, he said, had applied to him to get a room for a lodge; he refused to tell the name; he did not say that he had told the name to Mr. Hatton.

Chief-constable *Hatton,* having requested to be examined, was sworn. In consequence of some information, immediately after the contested election in this town, he was apprehensive of an Orange lodge being formed; sent for Serjeant Wilson, through whom he issued all orders to the men, directed him to parade his party, and to give it as his particular order that they should not in any way, directly or indirectly, connect themselves with any Orange lodge in this town. The serjeant told him he had issued the order, and witness assembled and cautioned the men himself afterwards, and on many prior occasions made it his business to caution the men; exerted himself also with individuals to stop it; reported the matter to Captain Hamilton and Lord Carew, that the whole thing was at an end; reported both in writing and verbally to those persons; concluded that there was an end of it; had no reason to suppose the contrary until his return from Dublin in April; he then heard of the document

mentioned

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mentioned by Mr. Magee having been found; went to Mr. Magee; at witness's request Mr. Magee read it; it contained the names of three or four of his men. Went to the barrack; told the party what he had heard read out of the document, stated the names and particulars; each person of the entire party denied *in toto* having anything to do with it; the sergeant also denied his knowledge of any of the party having joined; they alleged that it was a forgery. Witness went to Dublin on the 14th or 15th of April, and returned about the latter end of the month, the 26th or 27th; reported what he had done to Captain Hamilton by letter; had no knowledge of any man having joined the lodge; always told them that if they did so, they did it with their eyes open, as he had given them warning and caution enough; thought it impossible that Wilson could have joined such a thing from his strict general propriety of conduct. In a few days afterwards he received a letter from Sir J. Harvey, stating Mr. Crawford's complaint that he (witness) was cognizant of his men having joined an Orange lodge in the town, and that it would be investigated by Major Browne and Captain Hamilton. Waited until the investigation should take place; but wrote repeatedly to Major Browne, urging the inquiry to be proceeded on; wrote also to Sir J. Harvey and to Captain Hamilton. It was delayed by the illness of Mrs. Hemans, the sister of Major Browne, who was then ill in Dublin. Recollects Mr. Shurlock having given him information that one of the policemen had been looking for a room to hold a lodge in; Mr. Shurlock refused to tell the name of the policeman; witness then cautioned the men, and issued a circular to them; asked the men on that occasion if what Mr. Shurlock had stated was true? They all denied it. Shurlock told witness he thought it right to mention it to him, and that he only wanted to give the man a fright; Shurlock's communication was in the month of March. Witness's regular channel of communication is through Captain Hamilton; he mentioned this verbally a few days afterwards to Captain Hamilton at Wexford, but did not report it in writing to him. The refusal of the men to give evidence on this and the previous investigation was not advised by him; he even pressed one man in particular, Wilson, to give evidence on the former occasion; recollects about the end of March being spoken to by Mr. Everett on the subject.

Wm. Everett, esq. sworn; recollects having spoken to Mr. Hatton on the subject of the general impropriety of an Orange lodge being established in the town; this was before he had heard of any interference of Government, or of the police being concerned in it. Mr. Hatton said he had reprobated it; and had done all in his power to prevent it. There was no allusion by either to the police as being concerned in the business.

Chief-constable *Hatton* had a communication with the local magistracy on the subject; spoke to Mr. Tottenham and Lord Carew, who concurred in the propriety of the course witness had taken. Is not sure that he spoke to Mr. Though, deputy sovereign of the town, on the first occasion, but is sure he did so on the last. Witness felt exceedingly annoyed on the occasion, and has in consequence of it had serious differences with persons with whom he had been on habits of intimacy in the town; had not any knowledge of his men having joined the lodge, and did all in his power to prevent them from doing so; nor is there, to his knowledge, any one of his family cognizant of their having done so.

Taken before me at New Ross,
(signed) *Maziere Brady.*

Appendix (B. 15.)

(B. 15.)

CIRCULAR LETTERS issued to Brigade-majors of Yeomanry relative to Orange Processions, since the year 1828.

Sir, Dublin Castle, 24 June 1829.

Referring to the circular communication addressed to the brigade-majors of yeomanry, dated the 8th July 1822 and 6th July 1825, prohibiting the assembly of yeomanry corps on the 12th of July for inspection, and the members thereof from joining in processions, I have received the Lord Lieutenant's directions to desire that you will intimate the purport of the communications in question to the respective officers commanding those corps in your district; and at the same time express to them his Grace's commands that every means will be used, on their parts, to ensure a strict observance of the injunctions thereby prescribed.

I have, &c.
To the Brigade-majors of Yeomanry. (signed) *William Gregory.*

Sir, Dublin Castle, 6 July 1830.

It being particularly desirable that every means should be used with the view of giving full effect to the instructions heretofore conveyed to the members of the yeomanry, prohibiting their assembly on the 12th of July for inspection, or for the purpose of joining in processions, or playing party tunes, the Lord Lieutenant has directed me to signify his special desire that the necessary measures may be forthwith adopted by you, on communication with the officers commanding the several corps of yeomanry in your district, for prohibiting the members under their command from appearing or co-operating, in any way or in any garb, in the expected processions of Orangemen on the ensuing 12th of this month.

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His Grace further desires me to express his full expectation that you will not fail to report to Government any deviation from these orders, so as that the most serious notice may be taken of such conduct on the part of the yeomanry, which must so materially tend to disturb the public tranquillity.

You are requested to acknowledge the receipt of this communication, and at the same time to report the proceedings adopted by you thereupon.

I have, &c.
(signed) *William Gregory.*

To Brigade-majors
Gahan, Hamilton, Scott, Semple.

Sir, Dublin Castle, 4 July 1831.

It being particularly desirable that every means should be used, with the view of giving full effect to the instructions heretofore conveyed to the members of the yeomanry, prohibiting their assembly on the 12th of July for inspection, or for the purpose of joining in processions, or playing party tunes, the Lord Lieutenant has directed me to signify his special desire that the necessary measures may be taken by you, on communication with the officers commanding the several corps of yeomanry in your district, prohibiting the members under their command from appearing or co-operating, in any way, or in any garb, in the expected processions of Orangemen on the ensuing 12th of this month. His Grace further desires me to express his full expectation that you will not fail to report to Government any deviation from those orders, so as that the most serious notice may be taken of such conduct on the part of the yeomanry, which must so materially tend to disturb the public tranquillity.

You are requested to acknowledge the receipt of this communication, and at the same time to report the proceedings adopted by you thereupon.

I have, &c.
(signed) *William Gosset.*

Appendix (B. 16.)

(B. 16.)

REPORTS of Mr. *Gore Jones*, of Transactions at *Kilrea*, on the 13th July last, and of Major *Garrett*, commanding 46th Infantry.

Sir, Dublin Castle, 10 August 1835.

Referring to the order of the Select Committee respecting Orange lodges, dated 30th ultimo, I have the honour to transmit herewith, by command of the Lord Lieutenant, "Copies of the Reports of Mr. Gore Jones, of Transactions at Kilrea, on the 13th July last, and of Major Garrett, commanding the 46th Infantry."

With respect to the report of Captain Tennyson, commanding 14th Dragoons, required by the the above order, I beg to observe, that it is stated in a communication from the major-general commanding, that no report had been received at his office from Captain Tennyson upon the subject.

I have, &c.
(signed) *T. Drummond.*

John W. Patten, Esq., Chairman,
Select Committee respecting Orange Lodges.

Sir, Portglenone, County of Antrim, Monday, July 13, 1835.

I have the honour to state, for the information of his Excellency the Lord Lieutenant, that in consequence of the inclosed informations of Lawrence O'Regan and Peter M'Allister, as well as from general rumour, I was led to suppose that a very large assemblage of Orangemen would take place this day at Kilrea, in the county of Londonderry, situated six miles to the north-west of this village. I proceeded to that town, accompanied by Major Garrett and a company of the 46th regiment, and Captain Tennison and 15 rank and file of his troop of the 14th Dragoons.

When within a quarter of a mile of our destination, we were met by the Rev. Mr. Waddy, rector of the Kilrea, also a justice of the peace, who said, if the military would not enter he would be answerable for the peace of the town. (At this time, Orange banners were quite apparent.) I replied, I had received information that large bodies of Orangemen were in Kilrea, and asked him if he had read the order to disperse to them; he first answered in the affirmative, and then in the negative. I said, I should conceive it my duty to do all within my power to preserve the peace, and that I should feel obliged for his co-operation, as I was certain he must possess considerable influence; he said, if I would enter with the military, so help him God, he would not assist.

On our entering the town, we perceived three Orange arches across the streets; a very large assemblage of people, the greater number of whom wore the various insignia of the Orange party. There were several flags; I believe 14 out of the windows. On our entry we were received with shouts of defiance.

I read the order to disperse, also the Riot Act, and cautioned the mob in every possible way frequently as to the consequences that must inevitably ensue, if they did not disperse in obedience to the laws.

Several

Several of the leading persons then requested that the various lodges might proceed unopposed to their respective homes, to which proposal I readily acceded, not wishing to interfere unnecessarily; at the same time, I caused the constabulary to take down the names of those who formed those illegal bodies.

After a short time, I perceived that instead of proceeding to their homes, the various lodges had concentrated, and were returning for the purpose of parading again in force through the town. A period of at least an hour had elapsed from the reading of the Riot Act, and being apprehensive that serious tumult might be the consequence if they were again admitted into the town, I drew up Captain Tennyson with his party of the 14th Dragoons, under the command of Major Garrett, to arrest their progress. I remonstrated upon the folly and illegality of their proceedings, and told them that it was quite impossible that they could be again permitted to parade through the town. They then attempted, by every means possible, to force their way; threw a volley of stones, with which Major Garrett was severely cut, as was Captain Tennyson; part of the dragoons then advanced to clear the street, by my direction, and I have reason to believe that three or more of the Orange party were wounded with sabre cuts; one shot was fired by a dragoon, whose horse had swerved from a flag, and who was consequently in the rear when attacked by several persons.

It would be impossible for me to say, with any degree of accuracy, the number the Orange party consisted of, but it was very great, and their conduct was mulish and reckless.

I cannot too favourably speak of the bearing o fMajor Garrett, Captain Tennyson, and the men of the 14th Dragoons, who were engaged in this unpleasant duty; they evinced all the coolness that discipline can teach, with a determination worthy of soldiers, and a forbearance demonstrating the kindliest feeling.

Colonel Sir William Gosset,
&c. &c. &c.

I have, &c.
(signed) *John Gore Jones.*

County of Londonderry, } to wit. } THE joint information of Laurence O'Regan and Peter M'Allister, of Kilrea, who being duly sworn, depose and say, that they have every reason to suppose that a large body of persons, commonly called Orangemen, will march into Kilrea to-morrow, the 13th instant, and from the excited state of feeling that now prevails among all classes in that neighbourhood, they have no doubt, unless this contemplated procession be prevented by the prompt interference of the proper authorities, the worst consequences will ensue; and that there is every cause to expect a collision between the Catholics and Protestants, and that bloodshed will be occasioned by this demonstration of the Protestants, which is made, deponent believes, for the purpose of insulting their Catholic neighbours.

Laurence O'Regan.
Peter M'Allister.

Sworn before me, this 12th day of July 1835,
(signed) *John Gore Jones.*

Sir, Portglenone, County of Antrim, 21 July 1835.

I HAVE the honour to acknowledge your communication of the 18th instant, in which his Excellency the Lord Lieutenant desires you to observe that my report relative to the conduct of the Orangemen at Kilrea, on the 13th instant, ends too abruptly, and that I have not stated what further proceedings I have instituted.

With great respect I would state, for the kind consideration of his Excellency, that my report was written at a very late period on the night of the 13th, after having endured much fatigue of body, as well as great anxiety of mind, for the two preceding days. And that I could not at any time say what course I could legally adopt, until I had received the informations of the constables who were in attendance; more particularly as in all party matters in this province the honest co-operation of the police cannot be calculated upon confidently. And by the Act of the 2d & 3d years of the present King, it appears that warrants must be issued for the apprehension of the offenders against this enactment.

Herewith I transmit the names of the individuals to be proceeded against under the Procession Act, as well as those who will be indicted for the riot.

Mr. Crossley, sub-inspector and justice of the peace for the county of Londonderry, and myself had made arrangements for arresting and punishing all those that can be summarily convicted; but in consequence of my having received an order to attend the Orange Committee, I must, without delay, proceed to London, consequently these arrangements will be suspended until my return.

I would take the liberty of assuring his Excellency that the laws shall be firmly upheld, and that no exertions on my part will be wanting in punishing the offenders herein alluded to.

I have, &c.
(signed) *John Gore Jones.*

Sir William Gosset,
&c. &c. &c.

(B. 16.)
Army, Yeomanry, Militia and Police.

A LIST of Persons Names who walked in an Orange Procession at Kilrea, on the 13th of July 1835, when the order to disperse was read by Mr. Gore Jones, C. M. P. And also a List of Names of Persons for Riot at Kilrea on the same day, when the Riot Act had been read by Mr. Gore Jones.

Parties of Constabulary that identify.	Persons' Names identified for the Procession.	Parties of Constabulary that identify.	Persons' Names identified for the Riot.
Identified by Glenone party of constabulary.	1. Wm. Mulholland. 2. Henry Mulholland. 3. George Crocket. 4. James M'Farlane. 5. John Reid. 6. Samuel Kyle. 7. Joseph Palmer.	Identified by the Glenone party of constabulary.	1. Francis M'Culloch. 2. Andrew Godfrey. 3. Thomas Nichol. 4. Samuel M'Mullen. 5. James Scott. 6. William Orr.
Second offence -	8. John M'Gingan. 9. James M'Cormac. 10. John Murphy.		7. James Kyle. 8. Robert Clarke.
By Kilrea party of constabulary.	11. Richard M'Guire. 12. Joseph Wreath. 13. James Gilmor. 14. William Gilmor. 15. Thomas Gilmor. 16. James Thomb. 17. Mayor Gardiner. 18. John Harold. 19. Thomas Dunlop. 20. Henry Kerr. 21. Arthur Mulholland. 22. John Patterson. 23. David Watson. 24. James Patterson. 25. Samuel Hasty.	By Kilrea party	9. James Dougherty. 10. Alexander Kelse. 11. John Kyle. 12. James Glasgow. 13. Robert Bonniton. 14. John Shaw. 15. John Hunter. 16. Henry Kerr. 17. William Lamin. 18. Arthur Mulholland. 19. Robert Young. 20. —— Grimes.

(signed) *John Gore Jones.*

Sir, Portglenone, 17 July 1835.

I HAVE the honour to acknowledge the receipt of your letter of the 16th instant, inquiring why I did not report to you the occurrences which took place at Kilrea on the 13th instant; and in reply I beg to state, that I am much vexed that such an omission should have occurred. At the time that I sent in my report to the major-general commanding the northern district, I had commenced preparing one for the military secretary, for the information of the major-general commanding, when I referred to my written instructions as to whether I was required to do so; I at the same time omitted, I am sorry to say, to refer to the printed instructions which I now find in page 112 of the general orders for Ireland.

It was very late at night when I returned from the performance of that duty, and was considerably hurt from a blow on my head, which I received from a stone in that affair, from which I still suffer much pain; and the necessity, otherwise than through the head quarters of the district, escaped my notice.

I have the honour herewith to transmit copies of the requisitions I have received for assistance in aid of the civil power.

Nos. 2 and 4, you will perceive, are for troops to be stationed in Garvagh and Bellaghy, which I detached from the party at Maghera, in which quarter, from information I received from Mr. Jones, a stipendiary magistrate, and Mr. Crossley, a sub-inspector and magistrate also, both of them active and intelligent gentlemen, with whom I personally conferred, I had reason to think a strong force would not be required; I therefore subdivided that party, considering that by so doing I did what would best conduce to effect the object they had in view; whilst the safety of the whole, by adopting precautionary measures, would not be compromised.

On the 11th I detached to Garvagh one serjeant, four privates, five horses, 14th Dragoons; and one serjeant, 15 rank and file, of the 46th, under the command of Ensign Tennyson, 46th regiment. A report of the assistance they rendered will be found in a copy of Mr. Crossley's letter, dated July 14, No. 5. On the morning of the 12th, in consequence of the requisition No. 1, I accompanied Mr. Jones, with two sergeants and 13 privates of the 14th Dragoons, under the command of Captain Tennyson, of that regiment, to Ballyhay, where an Orange arch was taken down by the police; and two muskets, heavily loaded, kept in readiness for its defence, were seized; and in consequence of the Orangemen from Castle Dawson being expected to come in force to Ballyhay that afternoon, I ordered one sergeant, six privates, seven horses of the 14th Dragoons, and one sergeant, 12 rank and file, 46th regiment, under the command of Lieutenant Yelverton, of the 14th Dragoons, to remain there from Sunday till Tuesday morning; and I have reason to believe that by so doing a serious breach was prevented. On the afternoon of the 13th, in consequence of requisition No. 3, I accompanied Mr. Jones, with one sergeant and 15 privates of the 14th Dragoons, under the command of Captain Tennyson, and three sergeants, one drummer, and 41 rank and file,

file, 46th regiment, under the command of Captain French, to Kilrea, about six miles distant.

On our arrival there banners were displayed at the entrance of the town, and large bodies of Orangemen were reported to be there, prepared to resist the magistrates, whose object was to identify and disperse them. On entering the town we found three Orange arches erected, and a very large crowd of persons assembled, (I should suppose from 2,000 to 3,000) who were in a state of considerable excitement, and showed every disposition to resist the authorities. On entering the town I took up the most favourable position that presented itself in the square; and Mr. Jones, with great coolness and firmness, cautioned them as to the illegality of their proceedings, and begged them to disperse. In consequence of their threats and violence he was obliged to read the Riot Act; and the military were ordered to clear the streets. The leaders of the various lodges then prepared to leave the town, and the troops made way for them to do so; after having so done, many of them joined together in procession, and re-entered the town, and insisted on parading the streets, which Mr. Jones refused to allow them to do, and ordered me with the troops to prevent them. I drew the cavalry across the street, leaving the infantry advantageously posted in the square, when they attempted to force their way through the cavalry, and assailed us with vollies of stones, of a very large size, from which Captain Tennyson got a severe blow on the back of his head; and I was much hurt in my arm, and considerably cut on my temple, and some of the dragoons were also struck, upon which the magistrate gave orders for the troops to act, when some of the rioters (perhaps five or six,) received sabre cuts; and one dragoon, whose horse was driven out of the ranks by a man attacking him with a flag, and being separated from the rest, and attacked by several persons with stones, fired a shot on them. After a time the crowd dispersed, the three arches were taken down by themselves, and order being restored, we left the town between eight and nine o'clock, and returned to Portglenone, which place, both on the 12th and 13th, was perfectly quiet. The infantry, when first drawn up in the square, received orders to load; but there was no necessity for them to act.

The conduct of Mr. Jones throughout the whole affair appears to me to be most decisive, temperate and forbearing.

I have, &c.

The Military Secretary, &c.
Royal Hospital.

(signed) *Robert Garrett,*
Major 46th regiment.

Sir, Portglenone, 12 July 1835.

Will you, with all possible dispatch, afford assistance to the civil power in taking down party trophies, which have been so placed in the village of Bellaghy, four miles from hence, as to oblige the Roman-catholics, on their way to mass, to pass under, thereby insulting their feelings.

I should suppose cavalry would be the best force to put in requisition for this service.

I have, &c.

Major Garrett,
Commanding His Majesty's Forces, Portglenone.

(signed) *John Gore Jones.*

Sir, Bellaghy, 12 July 1835.

From the excitement prevailing here, I think it would be a wholesome precautionary measure to place for this night and to-morrow a military force here.

I have, &c.

Major Garrett, Portglenone.

(signed) *John Gore Jones.*

Sir, Portglenone, 13 July 1835.

In consequence of information I have received, I have to request you will be prepared with the whole force now in Portglenone to proceed with me at two o'clock, p. m., this day to Kilrea, in the county of Londonderry, there to assist the civil power in preserving tranquillity. Kilrea is situated six miles north-west of this village.

I have, &c.

Major Garrett, Portglenone.

(signed) *John Gore Jones.*

Sir, Garvagh, 8 July 1835.

Having received information that strong and numerous bodies of Orangemen intend assembling here on the 12th instant, and having but a small force of police at my disposal, may I request you will afford me the assistance of a small detachment of the troops under your command, to be sent here on Saturday, 11th, and remain till Tuesday, 14th.

I have, &c.

The Officer commanding the Troops,
Portglenone.

(signed) *William Crossley,* J. P.

(B. 16.)
Army, Yeomanry, Militia and Police.

Dear Sir, Garvagh, 15 July 1835.

PERMIT me to return you my thanks for the prompt manner in which you met my wishes in letting me have the aid of some of the military under your command on the 12th and 13th. A very large procession, consisting of 19 lodges, bearing flags and other emblems, and accompanied with music, entered the town yesterday about five o'clock. Mr. Tennyson and his detachment with the dragoons accompanied me, and we met them coming into town. The majority of them were drunk, and kept yelling and shouting whilst I was reading the proclamation. Shortly after a few stones were thrown at the dragoons, (who were of the greatest use in keeping off the crowd,) but did no harm. I beg leave to acquaint you that nothing could be more steady and proper than the conduct of the men of your regiment and the dragoons.

The anxiety, coolness, and forethought of Mr. Tennyson show him to be a young man well calculated to command a detachment of this kind.

Believe me, &c.

Major Garrett, 46th Regiment. (signed) *William Crossley.*

(C.)

PAPERS respecting ORANGE PROCESSIONS.

Appendix (C. 1.)

(C. 1.)
OrangeProcessions.

CORRESPONDENCE respecting the Occurrences which took place at *Castle Dawson* and *Maghera*, on July 12, 1830.

COPY of a Letter from Sir *F. Stovin*, Military Secretary, to *William Gregory*, Esq.

Sir, Royal Hospital, 15 July 1830.

I AM directed by the Lieutenant-general commanding to transmit the enclosed letters from the officer commanding at Castle Dawson and Maghera, detailing the occurrences which took place on the 12th instant; and I have the honour to request you will submit the same for the information of his Excellency the Lord Lieutenant.

In requesting the enclosures may be returned,

I have, &c.
F. Stovin, Mil. Sec.

COPY of a Letter from Captain *J. Michell* to Sir *F. Stovin*, Military Secretary.

Sir, Maghera, 13 July 1830.

I HAVE the honour of informing you, that on the 12th July, at 11 o'clock, the company under my command were called upon to aid the civil power, under the following circumstances:

A body of Ribbonmen had posted themselves on a hill called Drumnard, three miles from Maghera, on the Ballaghy road, amounting to about 700, one quarter of them armed with muskets and another with pikes, pistols, &c. Their intent was, as they avowed to the police officer and myself, who that morning had visited their encampment, to prevent by force of arms any Orange force from marching by that road; at the same time stating, that they would not molest them did they move by any other route. The reason they disliked their going by that road was, that the Orangemen having been dispersed the year before by them, on the same road, had in revenge pillaged and done much damage to the Catholic dwellings at Galliduff, which is a village on the direct road from Maghera to Drumnard and Ballaghy. The Orangemen again this year determined to march by the same road, well prepared for a contest.

On arriving at the ground where the Catholics were assembled, the magistrate, the Rev. Mr. Knox, having spoken to them, and pledged himself that the Orangemen should not march in that direction, and the Riot Act being read, they dispersed in the most peaceable manner. The military then returned to Gallidough, and after halting there about one hour, were desired by the magistrate to oppose the progress of about a thousand Orangemen coming from Nockloughram, whom Mr. Knox had in vain attempted to prevent advancing, and who had even been exceedingly insolent to the police officer who accompanied him.

This Orange body had come from Maghera, and had pledged themselves not to stir, provided the Ribbonmen were dispersed. They were well armed, probably about 400 muskets, and most of the yeomanry were in the procession, although strictly forbidden. On meeting, however, with my party, they turned about and slowly dispersed.

We then were retracing our steps, when we heard that a party had rallied round an Orange

Orange colour at Knockloughram; they however had disappeared on our arrival. We then proceeded to Maghera, where we arrived at seven. We were under arms again at nine, as the magistrate had been to Rocktown, a hill about one mile beyond Drumnard, where he reported that about a thousand shots had been exchanged by Orangemen from Ballaghy, and by Ribbonmen who had reassembled: they even fired these shots when Mr. Knox was in the midst of the Ribbonmen. The Orangemen throughout the day were the aggressors, and showed a total disregard of the laws of their country.

It was however understood, that a body of Ribbonmen were coming through Maghera to assist their brethern in arms. Mr. Knox therefore thought it more prudent to keep one company in the town. I have further to report, that from all accounts to be gathered this morning, the Orangemen have done infinite damage at Gallidough, both burning and destroying houses. I regret however the want of any sort of co-operation between the magistrates had prevented our rendering our aid as effectual as it should have been. The magistrate has desired us to remain this day at Maghera.

I have, &c.
J. Michel, Captain 64th Regiment.

COPY of a Letter from Captain *Bennett*, 64th Regiment, to the Military Secretary.

Sir, Castle Dawson, 13 July 1830.

I BEG leave to inform you, for the information of the Lieutenant-general, that in furtherance of the views of the magistrates for preventing a collision between the opposing factions in this neighbourhood, I proceeded, under the direction of Messrs. Shiel and Hunter, to the village of Ballaghy yesterday morning, where I arrived with my detachment at nine o'clock, and took post on the road leading to the place where the Ribbonmen were assembled. The Orange faction did not collect before half after two o'clock, when their chiefs were assembled, and addressed by the magistrates, urging them not proceed in the direction where I was posted. After much blustering and violence of manner, they consented, provided the magistrates would take it on them to disperse the opposite faction; this they consented to, and we marched for that purpose; but on arriving we found that they had been dispersed by the other company of the 64th regiment, under the orders of Mr. Knox. On our return we met the whole of the faction that had assembled at Ballaghy, to the amount of 500 or 600 men, all armed, with flags, drums and fifes. I deemed it necessary to halt and load. On their approaching us, Mr. Shiel and Mr. Hunter remonstrated with them on their breach of faith. They became so very violent that Mr. Shiel read the Riot Act, and I made ready, when they gradually retreated before us to the village, and shortly after marched off to their different homes. We then, at half-past five o'clock, returned to Castle Dawson. About the hour of seven at night the magistrates received information that an engagement was then going on at the place where the Ribbon faction was posted, with another body of Orangemen. My detachment with much alacrity assembled and marched there, and met a party of 29 of the latter faction, who had just destroyed two houses. I immediately surrounded and disarmed them, and marched them to Castle Dawson, where they are now confined, and a guard mounted over them. The magistrates have shown much zeal and activity, and the gentlemen and other inhabitants of this town, much attention and kindness to the detachment under my command.

I have, &c.
C. B. Bennett, Captain 64th Regiment.

COPY of a Letter from the Rev. *James Spencer Knox* to the Chief Secretary.

My Lord, Maghera, 15 July 1830.

IT becomes my painful duty to narrate, for the information of his Majesty's Government, the scenes of disorder, riot and violence, which have occurred within this district on Monday last, the 12th instant.

Providence has indeed mercifully, I might nearly say miraculously, averted the greater calamity of human slaughter, for happily no lives have fallen a sacrifice in this most disgraceful tumult. But in a wanton and outrageous attack on persons and destruction of property, and in a defiance of all laws, the character of a considerable portion of our population has developed itself in a mode, affording at best an uncertain prospect of civil peace.

The occasion of these disturbances will be more distinctly understood by it being observed, that on the anniversary (12th July) of last year, a body of Orangemen, celebrating it with their accustomed demonstrations, were assailed with fire-arms by an opposing party, much in the vicinage of the deplorable events which took place in this.

In the affray which then arose, much injury was done to the property of the unoffending inhabitants of all persuasions, apparently equally distributed; the whole terminated in a mutual reimbursement and reconciliation, from which (the circumstances of that time being had regard to) the magistracy of the district did not dissent.

As the corresponding day of this year approached, rumours became general that challenges had passed between the conflicting parties (Orangemen and Ribbonmen, as they respectively style themselves); that a hostile meeting should take place on a certain hill, named Drumnard Hill, situated midway, and at three miles distant, on the direct road from Maghera to Bellaghy.

The purport of this alleged challenge was, on the one hand, that the Ribbonmen should

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oppose the march of an Orange procession over that hill, and, on the other, that the Orangemen were determined to force their way.

It became perfectly known to the authorities around that preparations on a very extended scale were making amongst the people at large, of all denominations, for this expected rencontre.

Fire-arms and other weapons of offence were undisguisedly borne in open day, and publicly repaired and set in order. Notices to the respective adherents were dispatched without any concealment, and everything portended a very serious and alarming collision.

Under these circumstances the magistracy applied for a disposable military force, and received at a most opportune moment the support of two companies of the 64th regiment, placed respectively in the towns of Maghera and Castledawson. On the morning of the 12th, Chief-constable Crossley, of the police, with an escort, rode to Drumnard Hill, and returning at 10 o'clock, reported to me that he had there met and conversed with a body of 700 Ribbonmen assembled to dispute the pass.

That they were for the most part armed, about 300 carrying fire-arms of various descriptions, and nearly all the remainder pikes, swords, scythes, &c.; that they had received him with great civility, and assured him that were he to pledge himself to prohibit the Orangemen from putting in execution their menace they would depart to their own houses. This Mr. Crossley promised to do, as indeed was fully our joint design. At 11 o'clock the detachment of the 64th, stationed here, was in march towards Drumnard, accompanied by Mr. Crossley and myself. We had, however, found it necessary previous to leaving the town to read the Riot Act, and affect through that measure the dispersion of an Orange lodge, which was proceeding with banners and fire-arms towards the place abovenamed. On reaching Drumnard we found the Ribbonmen as before, marshalled in an adjoining field. Mr. Crossley and I rode forwards to a parley. They treated us with the greatest respect, forming a ring, whilst I addressed them and read the Riot Act, after which and on stipulation that no Orange party should traverse the district in question, they quietly dispersed, and in less than a quarter of an hour the entire body, most of whom were drawn from a distance, had disappeared. We now turned our attention towards the advancing Orangemen, and after very considerable altercation dispersed and drove them homewards by means of our military party, of whose admirable and most temperate conduct under Captain Mitchell throughout a very trying day I cannot speak too highly.

Mr. Shiel, magistrate, who authorizes this use of his name, accompanied by Mr. Hunter, directed the other named company of the 64th, and reached Drumnard about an hour after we had left it. Finding all quiet they returned to Bellaghy, driving before them several Orange lodges, who also were in full progress towards the expected theatre of action. At 6 P. M. every thing seeming tranquil, I ordered the troops to their quarters. Mr. Crossley and I rode once more from the position at which they had generally remained during the day towards Drumnard. [The road leading to Maghera, and a hamlet where the Orangemen assembled, two miles from Drumnard.] We had not proceeded far when we met considerable numbers of the Roman-catholic population flying from their homes in the greatest consternation. The cause was soon manifest. It appears that the Bellaghy Orangemen had evaded the vigilance of the magistrates, and most wantonly hurried towards Drumard; a small body of Ribbonmen strove to oppose them; we rode between the conflicting parties (exposed indeed to some risk, for the bullets flew thickly over our heads and around us) until we reached the Orangemen, about 200 in number, and all remarkably well armed. I once more read the Riot Act, and the Orangemen desisting from firing, began slowly to return to Bellaghy. At this period the force of Ribbonmen had much increased, was rapidly augmenting, and appeared disposed to advance, the Orange party still retiring. We rode back to stop the Ribbonmen, who instantly obeyed us, only requiring that their opponents should leave the ground. This they would undoubtedly have done had not unhappily some other Orangemen arrived. Led by the reports, and without a moment's hesitation, when advanced within 300 yards of the Ribbonmen with whom we were, commenced firing; many musket balls fell close to us, but no individual was wounded. Our joint situation became at the same time perilous and useless, from which, however, we were released in a few minutes by an attack made upon the Orangemen in an opposite direction, which drew off their attention from the party with whom we were. A scene, disgraceful alike to humanity and civilization, now presented itself; irregular bodies of armed men were seen to traverse the country, frequently approached each other within a short distance, and discharging their muskets, but providentially without effect. Mr. Crossley and myself continued on the spot for a considerable time, in momentary expectation that the civil and military authorities would arrive from the neighbouring villages of Castledawson and Bellaghy, one and two miles distant; but Mr. Shiel informs me (as indeed was the case with myself) that he and Mr. Hunter had been so harrassed and deceived by false rumours during the day, that they refused credit to such as reached them relative to this latter disturbance, until more positively confirmed at a later period in the evening. We had returned to Maghera, four miles, for the military; convinced finally of its existence, they proceeded to the scene. The firing and perpetration of outrage had ceased, but the ruin which this unfortunate day inflicted upon the Roman-catholic peasantry was manifest in one house, consumed to ashes, the embers of which yet glowed, and several more otherwise destroyed or damaged. The conflicting parties had totally dispersed, but a body of Orangemen, who late in the evening had again left Maghera under the avowed intention of aiding their comrades, and who were seen marching in arms upon the road adjacent to Drumnard, were made prisoners of by the magistrates and party last named, and conducted to Castledawson. Between the hours of 11 and

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12 at night, Mr. Crossley and I again rode to the ground, and found everything perfectly tranquil. Patroles of military and constabulary were maintained during the night, in which no further disorder occurred. I feel it my duty to add my full satisfaction of the conduct of the constabulary, and of the chief constable Mr. Crossley, which, steadily persevered in during his residence here, has won him the respect and confidence of men of all religious persuasions and parties, from which feeling towards him so much advantage was derived in my communications with them on the 12th instant. The party of Orangemen captured were brought on the following morning before Mr. Jackson, barrister of the county, and a bench of magistrates sitting in quarter sessions at Magherafelt, and put under bail to present themselves on Thursday the 22d instant, when it is proposed a general investigation of the whole affair shall take place. Had the collision of the morning not been prevented, about 1,500 men on either side would have been engaged, and eventually joined by the entire population of this extensive and densely-peopled district. It is probable that some hundreds of individuals belonging to either side may be recognised before the 22d, and thus rendered subject to the penalties of violated laws. Under such circumstances, we feel ourselves somewhat embarrassed as to the mode most advisable to adopt, and therefore anxiously await the opinion of His Majesty's Government. On the occasion of a very serious disturbance in this neighbourhood, seven years since, the late Sir James Galbraith, crown solicitor, was sent down for the purpose of inquiry, with extremely beneficial effect. A similar course might perhaps be equally judicious now, but whatever may be the decision of His Majesty's Government, I respectfully hope we may be favoured with it at as early a period as convenience admits of.

I have, &c.
(signed) *James Spencer Knox.*

Appendix (C. 2.)

INFORMATIONS forwarded to the Lord Chancellor of *Ireland*, in May 1828, from the Magistrates of *Lurgan*, in the county of *Armagh*. (C. 2.)

COPY Information of *Thomas Ker*, gentleman.

County of Armagh, to wit, } The Information of Thomas Ker, of Belfast, gentleman, taken upon oath before James Ford and William John Hancock, Esquires, two of His Majesty's Justices of the Peace for said county:

Informant saith, that on Monday, the 12th day of May instant, he was in the house of William John Hancock, esq., one of His Majesty's justices of the peace for said county; saith he was called on to assist the said magistrate in suppressing a riot which was likely to take place, as a number of persons, upwards of 500, were parading the town of Lurgan with drums and fifes; saith he proceeded with the magistrates and police after the crowd, who had a drum and fife, and on coming to where the crowd had turned, the magistrate attempted to read the Riot Act, and was completely borne away by the pressure of the crowd, and prevented and obstructed in the reading of the said Riot Act; saith that he proceeded along with the magistrate and police after the crowd, who went up the street towards the market-house, and on the way a man playing a fife was arrested and carried by the police to the bridewell. Saith at the bridewell the magistrate, with a loud and audible voice, proceeded to read the Riot Act, and to require all persons then assembled to disperse, which was unattended to; saith that at each of the three attempts which were made by the magistrate to read the Riot Act he was interrupted and insulted by every kind of abuse, as far as words, and shouts, and opprobrious language; saith that the magistrate there arrested such persons as refused to depart, and repeatedly entreated all the well-conducted persons to disperse, but with little effect until several arrests were made.

Saith that this informant was afterwards at the house of Mr. Hancock, the magistrate, when he and James Ford, esq., another of His Majesty's justices of the peace, sent for one George Douglass, whom this informant has heard and believes to be the permanent serjeant of the Lurgan Yeomanry Corps, when he was present, and heard the said Douglass examined by the magistrates as to the dependance that might be placed on the said corps, in case their assistance was required to suppress any riot or tumultuous assembly that might arise, to which said Douglass replied, that no assistance need be calculated on from them; and for himself, he would assemble the corps on the three yearly parade-days, but at any other time they would do as they liked; and likewise that he would not obey the orders of Mr. Hancock or Mr. Ford relative to the corps, nor of any other individual, except Mr. Brownlow as their captain. Saith that during the examination said Douglass behaved with extreme indecorum towards the magistrates then present, particularly towards Mr. Hancock; that his language was extremely disrespectful, and amongst other disagreeable expressions, he declared he did not regard the latter gentleman or his order more than the tail of a scallion.

Thomas Ker.

Taken, sworn, and acknowledged before us this 13th day of May 1828.

James Ford,
William John Hancock.

(C. 2.)

Orange Processions.

COPY Information of *John George,* Police Constable.

County of Armagh, to wit, } The Information of John George, Constable, taken upon oath before James Ford and William John Hancock, Esquires, two of His Majesty's Justices of the Peace for said county:

Saith that on Monday evening, the 12th May instant, he was in the streets of Lurgan, when he heard two shots fired; that immediately afterwards he was called on by Mr. Hancock, the magistrate, to get ready the party, and be prepared in case of riot. Saith he went to his officer, Mr. D. O'Neill, chief of constabulary, and went to where the magistrate was, and was present when the magistrate made an attempt to read the Riot Act at the end of the town of Lurgan leading to Warringstown; saith that the magistrate in vain attempted to read the Riot Act at that time; saith that on coming to the bridewell to lodge Thomas Gracy, who had been arrested playing the fife, a large mob assembled; saith that Mr. Hancock, the magistrate, read the Riot Act three times whilst remaining at the bridewell, and that notwithstanding the mob did not disperse; saith that after repeated request and warning, the magistrate did arrest one Richard Hamilton for refusing to disperse, and also one Rogers, and several others, all of whom are now confined in the bridewell of Lurgan, whose names to this informant are unknown.

John George.

Taken, sworn, and acknowledged before us this 13th day of May 1828.

James Ford.
William John Hancock.

County of Armagh, to wit. } The further Information of John George, taken before us, James Ford, Esq., and William John Hancock, Esq., two of His Majesty's Justices of the Peace for said county:

Saith he saw Thomas Moss arrested and confined in bridewell on the 12th May instant.

John George.

Taken, sworn, and acknowledged before us this 14th day of May 1828.

James Ford.
William John Hancock.

COPY Information of *Abraham Matchell,* Police Constable.

County of Armagh, to wit, } The Information of Abraham Matchell, of Lurgan, Constable of Police, taken upon oath before me, William John Hancock, Esq., one of His Majesty's Justices of the Peace for said county:

Informant saith that on Monday, the 12th day of May instant, about seven o'clock in the evening, the bell of Lurgan church was rung, and four flags hoisted on the corners of the church tower; saith that shortly after he received an order to hold the police in readiness to turn out, in case there should be any riot; saith the party were marched by Daniel O'Neill, esq., chief constable of the barony, to the magistrate, W. J. Hancock, esq., who came to his own house, and shortly afterwards came out with a book in his hand; saith the magistrate and police followed a party of persons who were playing a drum and fife; that on arriving at the place where the party had turned with the intention of coming again into town, the magistrate attempted to address the people, who were standing and huzzaing, and using very abusive language; saith the magistrate attempted also to read the Riot Act from the book in his hand, but without being able to be heard; saith then orders were given to take the drum, but that it was impossible to accomplish that order, the party who had the drum then proceeded through the town, making the greatest shouting noise and uproar; that on the way up street a fifer began playing the fife, when Mr. Hancock ordered him into custody: saith that the magistrate and party of police proceeded to the bridewell, and that on arriving there the magistrate read the Riot Act to the persons there assembled, who used the most abusive and approbrious language: saith that the magistrate three several times distinctly and audibly read the Riot Act, and afterwards went up to the persons in the crowd, and individually asked a number of them to disperse and go home, and at last, full an hour after the reading of the Riot Act, the magistrate proceeded to arrest such persons as refused to remove off the street and go home: saith that shortly after some persons had been arrested and put into bridewell, the mob dispersed, the magistrate then went home, and the police went to their barrack; they had not been long there when the magistrate, Mr. Hancock, came down for them, saying there were some windows broken in his house; informant immediately went up to the house and heard something like a stone thrown against the house, looked round and saw three persons standing at the corner of the market-house, the magistrate went over and arrested one of the party: saith that afterwards the town became quiet. Informant saith, that on Tuesday he was directed by James Ford, esq., and W. J. Hancock, esq., two magistrates, to inform the prisoners then confined in bridewell, that bail would be taken for their appearance at the next sessions, and a committal was made out to the keeper of the bridewell, in which it was stated that they should be discharged on entering into recognizances to keep the peace, and appear at the next sessions: saith he communicated to each prisoner the order of the magistrates: saith the church bell was rung most of the day, and flags appeared all day on the tower of the church: saith about the hour of five o'clock

in

in the afternoon a very large number of persons assembled with drums and fifes: saith the party was mostly composed of strangers, to informant unknown: saith he had received orders to take the names of the drummers and fifers; but that after using all the diligence in his power, he could not discover the name of any person: saith, from the noise, shouting and uproar, he has no doubt, if any person had attempted to oppose the party who were playing the drums and fifes, and shouting and huzzaing, that very serious consequences would have ensued, and thinks, that if the magistrates and police had attempted to take the drums and fifes, they would have been opposed by all the force in the power of the rioters.

Informant saith, that on Wednesday he received a committal for the nine prisoners who had refused on being individually asked to give bail: saith he proceeded to march the prisoners to Portadown, when a large crowd attended, and the drums and fifes played as often as they could, playing several party tunes, such as the "Boyne Water," and "Croppies lie down," but cannot swear positively as to the tunes, as he is no musician.

Saith, that on arriving at Portadown he marched the prisoners to Mr. Patten, the chief of the next barony, and that by him the party and prisoners were taken to the office of Curran Woodhouse, esq., a magistrate of this county; saith that after some time bail was taken, and the party were discharged: saith the committal was signed by James Ford, esq. and W. J. Hancock, esq., two magistrates of the county, and did not see any other magistrate at the office when bail was taken, except Curran Woodhouse, esq.: saith that he got a receipt for the prisoners from Mr. Patten: saith, after some little time he marched his party towards Lurgan, that he heard drums and fifes playing most part of the way to Lurgan, accompanying those persons who had been prisoners going to Portadown.

Saith, that on arriving in the streets of Lurgan he found the drum or drums, and fife or fifes playing, accompanied by a large mob, who were shouting and huzzaing: saith, that the persons who bailed the prisoners were William Johnston, of Lurgan, grocer, and George Douglass, of Lurgan, permanent serjeant of the Lurgan yeomanry corps.

Abraham Matchell.

Taken, sworn and acknowleged before me this 21st day of May 1828.
Will. John Hancock.

COPY Committal of Rioters.

County of Armagh, to wit. } James Ford and William John Hancock, Esquires, two of His Majesty's Justices of our Lord the King, assigned to keep the Peace within the said County,

To the Constabulary Police of the said County, and to the Keeper of the Common Gaol at Armagh, in the said County.

THESE are to command you, the said constabulary, in His Majesty's name, forthwith to convey and deliver into the custody of the said keeper of the said common gaol the bodies of Edward Johnston, Richard Hamilton, Henry Corner, Caster Corner, John Rogers, William Cartwright, Thomas Moss, Thomas Gracy, George Furkington, charged upon the oath of John George, constable, and upon the oath of Thomas Ker, gentleman: That on Monday evening, the 12th day of May instant, a number of persons, upwards of 500, assembled, fired shots, and having drums and fifes; that on W. J. Hancock, esq., one of His Majesty's justices of the peace, attempting to read the Riot Act, he was interrupted and borne away by the mob there assembled; that afterwards the Riot Act was read, and that all persons were required peaceably to disperse to their several homes; that the several persons hereinbefore enumerated did not then quietly and peaceably disperse themselves, but continued to assemble, contrary to the statue in that case.

And you the keeper are hereby required to receive the said Edward Johnston, Richard Hamilton, Henry Corner, Caster Corner, John Rogers, William Cartwright, Thomas Moss, Thomas Gracy, and George Furkington, and them safely to keep until they and each of them shall give security to keep the peace, themselves in 10 *l.* each, and two sureties in 5 *l.* each; and that they and each of them shall appear at the next sessions of the peace to be held in and for the county to answer such charges as shall be alleged against them, or until they and each of them shall be thence delivered by due course of law.

Herein fail you not.

Given under our hands and seals the 14th day of May, in the year of our Lord 1828, and in the 9th year of the reign of his said Majesty King George the Fourth.

James Ford (seal.)
Will. John Hancock (seal.)

COPY Letter.

My Lord, Lurgan, County of Armagh, 22 May 1828.

WHENEVER the peace of this county is in any danger of being disturbed, I feel it to be my duty to communicate with your Lordship on the subject, as you have cast that duty on me, by including my name in the commission of the peace; I hope you will pardon the intrusion I now make on your valuable time.

I am going to relate a state of riot and uproar seldom equalled which has occurred in this town, and transmit to you copies of the informations which have been taken in conjunction with my brother magistrate of this barony, James Ford, esq.

(C. 2.)
Orange Processions.

On Monday the 12th of May instant, about seven o'clock in the evening, two shots were fired in the street of Lurgan, flags were hoisted on the tower of the church, and the bell rung. Shortly afterwards a number of persons came into the town with a drum and fife playing party tunes, and by shouting and huzzaing, encouraged a very great number of persons to assemble, I felt it to be my duty to inquire into the cause of the uproar, and proceeded after the party to remonstrate with them and induce them to disperse without any breach of the public peace, as their exhibitions had heretofore ended by the breaking of the windows of those persons who did not join in the exhibitions. I proceeded after the party without being able to obtain a hearing from the noise and uproar, and I attempted to read the Riot Act, but without being able to accomplish it. I afterwards did succeed in reading the Riot Act, and after the hour prescribed by that Act had expired, I tried every means to induce the rioters to disperse, and at length arrested some and confined them in the bride-well of this town. I had sent an express for the only other magistrate residing in this barony, James Ford, esq., who came in to my assistance, and approved of the means I had taken to preserve the peace, and suggested, in addition, that one George Douglass, the permanent serjeant of the Lurgan yeomanry corps, of which corps Charles Brownlow, esq., M. P. is the captain-commandant, should be sent for to ascertain whether we might rely on the aid of the corps in cases of riot; his conduct was such as to induce us, as magistrates, to write to Mr. Brownlow to beg of him, as commanding officer, to withdraw the arms from his corps and store them in a place of safety, where they could not be used unless by our orders. I beg to refer your Lordship to Mr. Ker's informations on this point.

On the next day, Tuesday, 13th May, Mr. Ford came into town, and we proceeded to examine into the cause of the riot, and found it originated in a false report that the "Catholic Bill," as it was called, had been thrown out of the House of Commons; and we proceeded to take informations, and required all those persons whom we could get identified to give bail to keep the peace, and to appear at the next sessions to answer such charges as might be alleged against them, which the prisoners unanimously refused to do, and we committed them for re-examination, to try if on cool reflection bail would be given. The bells of the church were rung all day, and flags belonging to the yeomanry corps were flying on the church tower; in the afternoon an immense mob assembled, and as the magistrates had no force sufficient to repel, or to arrest, or to require bail of such a mob, it was deemed an act of prudence not to interfere further than by taking the names of all the persons concerned, to have them bound over at the next sessions.

On Wednesday morning, the prisoners still refusing to give bail, Mr. Ford and myself conceived it to be our duty to commit them to Armagh gaol; and in order that the magistrates at Armagh might see our object was to hold to bail only, and not to commit for the felony, we expressed in our committal the amount of bail we should require. The prisoners were marched by the police to Portadown, the next station of police, and all the way were accompanied by a large mob collected by drums and fifes playing party tunes before the prisoners and police, and in this excited manner were taken into the town of Portadown. The chief constable, Mr. Patten, marched the prisoners and police to the office of Curran Woodhouse, esq., a magistrate of this county, when that magistrate accepted of bail and discharged the prisoners, who came back to Lurgan accompanied by an immense mob, with drums and fifes and every species of uproar, shouting, huzzaing, &c., to the great annoyance of the peaceable and well disposed of the inhabitants.

The warrant of committal was signed by two magistrates, and although the amount of bail was specified, I doubt the legality or propriety of one magistrate thus upsetting the act of two. The very manner in which the party came before Mr. Woodhouse should have made him hesitate before he would gratify their party spirit in refusing to give bail at Lurgan to two magistrates, and well knowing that by their taking bail he would send the whole party in triumph back to Lurgan to riot as they pleased.

Without unanimity and uniformity of proceedings amongst magistrates of the county, peace cannot be preserved.

Mr. Woodhouse is in fact a trading justice, making all the profit of his office he can, having little or no property; at the revision of the magistracy of Ireland by Lord Manners he was struck out of the commission; how he was afterwards reinstated can be easily accounted for.

Mr. Brownlow sent an order to have the arms of his corps of yeomanry placed in store under the care of Mr. Ford and myself; but the permanent serjeant, instead of obeying the order, went to the brigade-major of yeomanry, Skeffington Hamilton, esq., who called upon us yesterday to investigate the matter. Mr. Ford and I both distinctly stated to him our opinion that the peace of this district could not be preserved whilst the arms were in the hands of the yeomanry corps; that wherever any party riot would take place, we had no doubt their arms would be used against the magistrates and police, particularly that corps the serjeant of whom had behaved in such a manner to us in the execution of our bounden duty to preserve the peace by every means in our power. Major Hamilton has taken upon himself to suspend the captain-commandant's order until he has a communication from Government, which has induced me to thus intrude on your attention the whole of the facts of this affair. I trust your Lordship will find I am only anxious to do my duty faithfully and impartially, by preventing all exhibitions which tend to excite popular commotion in this unhappy and distracted country.

I have, &c.

William John Hancock, J. P. County Armagh.

To the Right honourable Sir An. Hart,
the Lord High Chancellor of Ireland.

R. B. M'Causland,
Secretary to the Lord Chancellor of Ireland.

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Appendix (C. 3.)

(C. 3.)
Orange Processions.

CORRESPONDENCE respecting the Occurrences which took place at *Dungannon* on July 12, 1830.

Sir, Holly Hill, 13 July 1830.

In reference to my letter of this morning, I now beg leave to enclose herewith, for his Grace the Lord Lieutenant's information, the report I have received from the chief constable at Dungannon of occurrences there yesterday, which appear of so much importance I transmit the account at once, without waiting for those from other parts of the province.

I have, &c.

William Gregory, Esq. (signed) *Thomas D'Arcy*, I. G.

Sir, Dungannon, 12 o'clock Monday night, 12 July 1830.

I have the honour herewith to enclose, for your information, a correct return of the Orange procession which appeared in Dungannon and at Ardboe this day; and beg to acquaint you that every personal entreaty of both Lord Northland as also three other magistrates, for them to disperse, was treated with contempt, and from their decided determination the magistrates deemed it advisable not to oppose them by force.

The names of 16 of the leaders I have taken down, and can have identified should a prosecution take place. Up to this moment no breach of the peace has been committed.

I have further the honour of informing you, that an Orange arch was erected in this town; and on my proceeding with the police force under my command, 33 men, to take it down, I was opposed by most violent threats of a large assemblage of men, who surrounded it, declaring it should only come down by loss of their lives; the persons immediately around it were unarmed, but the houses on both sides of the street were supplied with men, arms and ammunition. I took considerable pains to impress on the minds of the people the improper and dangerous step they were taking in opposing the laws; but anything in the way of remonstrance was useless, or such was only received by them, shouting out death to any person who would attempt its removal. Seeing them so fully determined, I told them down it should come, and forthwith took up proper positions with my party to repel their attack, and was in the act of getting the ladder to cut it down, which I would have done or died in the attempt, when I was ordered to allow it to remain, as you will perceive by the order which I have the honour to enclose, and which, I trust, you will consider a sufficient justification of my not having the Lord Lieutenant's order carried into full effect, and which I regret extremely I was not allowed to do, particularly as my force was sufficiently strong.

I have also the honour to acquaint you I have received a report from a steady constable I sent to Ardboe, and up to seven o'clock this evening all was perfectly tranquil in that part of the country, nor was there any appearance of opposition from the Roman-catholic party.

I have, &c.

Major D'Arcy. *David Duff*, Chief Constable.

AT a Meeting of Magistrates of the county of Tyrone, convened at *Dungannon* on Monday 12 July 1830,

It was resolved, That it would be highly inexpedient that Captain Duff, of the constabulary force stationed at Dungannon, should act according to the instructions given to him respecting an arch erected in Dungannon; they being decidedly of opinion that loss of lives to a frightful extent would be the consequence, and therefore desire Captain Duff to refrain from removing such arch.

(signed) *Northland.*
Edward Evans.
Richard Murray.
Alexander Makenzie.
W. H. Walsh.
J. W. S. Murragh.

I beg leave to differ in opinion with the other magistrates.

(signed) *James Knox.*

(C. 3.)
Orange Processions.

RETURN of ORANGE PROCESSIONS that appeared in *Dungannon*, as also *Ardboe*, on the 12 July 1830.

No.	Number of Men in each Procession.	Guns.	Pistols.	Swords.	Stand of Colours.	Bands of Music.
1	30	-	-	-	1	1
2	60	-	-	-	2	1
3	1,200	2	1	2	17	12
4	1,300	2	-	1	13	13
* 5	800	1	-	2	18	10
6	900	-	-	-	20	15
Total	4,290	5	1	5	71	52

No.	Names of Persons dentified in Procession.	Rank in Life.
1	Mr Thomas Irwin - -	gentleman.
2	Mr. John Irwin - -	ditto.
3	Mr. Francis Irwin - -	ditto.
4	Mr. James M'Ilroy -	merchant.
5	Mr. Robert Smyth - -	ditto.
6	Dr. —— Dawson - -	surgeon.
7	Matthew Dixon - -	respectable.
8	James Kelly - - -	ditto.
9	Samuel Brown - -	ditto.
10	John Davidson - -	tradesman.
11	Robert Davidson - -	ditto.
12	Robert Milligan - -	ditto.
13	Thomas Hunt - -	ditto.
14	William Davidson - -	ditto.
15	Thomas Pearce - -	ditto.
16	Charles Lucas - -	ditto.

* Nos. 5 & 6 are Ardboe processions.

I certify that the above Return is correct to the best of my knowledge and belief.

(signed) *David Duff*, Chief Constable.

Appendix (C. 4. *a.*)

(C. 4. *a.*)

CORRESPONDENCE and Papers relating to Transactions in *Ulster*, on July 12, 1831.

Sir, Holly Hill, 17 July 1831.

HAVING now received reports from most of the chief constables of this province, relative to the transactions on the 12th instant in their respective districts, I feel it my duty to state, for his Excellency the Lord Lieutenant's information, that processions have been very general throughout Ulster on that day, as will be seen by the annexed Return; but I have much satisfaction in being able to add, that except in the unfortunate occurrence in the neighbourhood of Banbridge, and the trifling affray at the colliery near Dungannon, no opposition was in any instance given to those processions, and no rioting has taken place in consequence.

I beg leave at the same time to forward seven letters that appear to bear particularly on the subject, which I have selected from the whole, not wishing to trouble his Excellency with a more voluminous mass of correspondence.

I have, &c.

Lieut.-colonel Sir William Gosset, K.C.H. (signed) *Thomas D'Arcy*, I. G.

RETURN of Places in the Province of *Ulster* at which Processions of Orangemen paraded on the 12th July 1831.

County of Antrim:

At Randalstown, about 400 persons.
Parkgate - - - 600 —
Rasharkin - - - 1,000 —
Dunloy - - - 3 lodges.
Kilcreen - - - 3 lodges.
Larne - - - - small procession.
Lisburne, and other places in the neighbourhood.
Ballymena - - 5 lodges.
Portglenone - - small procession.
Broughshane - - small procession.
Kells - - - - small procession.

County of Armagh:

At Armagh - - - 5,000 persons.
Portadown - - large procession.
Tanderagee - - - ditto.
Rich-hill - - - - ditto.
Loughgall - - - - ditto.
Newtown Hamilton 1,000 persons.
Lurgan - - - 200 —

County of Cavan:

At Swanlinbar - - small procession.
Red Hills - - - - ditto.
Baillieboro' - - 15 lodges.
Cootehill - - - small procession.

County

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(C. 4. *a.*)
Orange Processions.

County of Donegal:
At St. Johnstown - 2 lodges.

County of Down:
At Saintfield - - - 34 lodges.
Ballynahinch - - numerous procession.
Killyleagh - - 25 lodges.
Downpatrick - - 4 lodges.
Kilkeel - - - - numerous procession.
Newry - - - - - - ditto.
Gilford - - - 2 lodges.
Banbridge - - 37 lodges.
Hillsboro' - - - large procession.
Dromore - - - - ditto.

County of Fermanagh:
At Enniskillen - - 2,000.
Kesh - - - - 500.
Churchill - - - small procession.
Ganison - - - - ditto.

County of Londonderry:
At Coleraine - - - 14 lodges.
Garvagh - - - 800 persons.
Kilrea - - - - 400 —
Newtownlimavady large procession.
Loop - - - - 1,500 persons.

County of Monaghan:
At Clones - - - - 3,000 persons.
Monaghan - - 1,000 —
Ballibay - - - 200 —

County of Tyrone:
At Omagh - - - 1,500 persons.
Dungannon - - 5,000 —
Ballygawley - - numerous procession.
Newtown Stewart numerous procession.
Donomana - - small procession.

Sir, Dungannon, 12 o'clock Tuesday night, 12 July 1831.

I HAVE the honour to report, for your information, that a body of Orangemen, supposed to be in number about 5,000, marched into Dungannon this day in procession, accompanied with music playing party tunes, carrying 32 flags and above 15 stand of arms. After remaining some short time in the town they retired to their respective homes in the most peaceable manner.

The only persons holding situations under Government, that I observed taking part in the procession, were two officers of yeomanry; viz. Lieutenant Thomas Irwin, of the Moy corps, and Lieutenant Francis Irwin, of the Drummona corps. These gentlemen marched several times at the head of the procession through the street. It may not be unnecessary for me to state, that I paid particular attention to the description of arms alluded to in the former part of my report, and found that none were yeomanry arms; nor did I perceive any of the non-commissioned officers, drummers or privates of that body in the procession. I have further the honour to acquaint you of the particulars of a beat that took place this morning at the colliery about one mile from Dungannon.

A party of Orangemen, about 15 in number, were on their return to Stuart's Town; they were attacked by some men who are employed at the colliery, and who, I am informed, are Roman-catholics. They beat the Orange party, at least two of them, severely (though not dangerously). One of the Catholic party was slightly injured. I proceeded to the spot with the least possible delay, with a strong party of police, and arrived in sufficient time to prevent another most serious riot between the two parties; and from the excited state of the Orange party, anxious for revenge for the attack made on them, I thought it necessary to place a serjeant and 10 men at the colliery, to remain after night, in order to protect the members of it, as also the machinery. Several of the windows in the house attached to the colliery were broken by the Orangemen.

I have, &c.
David Duff, C. C.

Major D'Arcy.

Sir, Raphoe, 13 July 1831.

AGREEABLY to yours of the 8th instant, conveying the commands of his Excellency the Lord Lieutenant, I had all the police of the barony assembled here at an early hour yesterday morning, and kept at close drill during the day, in order to be in readiness if called upon. There was no kind of procession, or anything emblematic of party feeling in this district, but the people busily employed as usual at their several vocations, except in St. Johnstown, where two lodges of Orangemen met and walked in procession for about three miles along the road, with colours flying and drum beating; they had a triumphal arch placed in St. Johnstown, which all persons passing from Strabane to Derry were obliged to walk under; they drank together, about 200 in number, and returned to their respective homes without any breach of the peace being committed. Too much praise cannot be given to the Roman-catholics on this occasion, as many of them joined in the procession, and seemed to enjoy it the same as the Orangemen. I heard nothing of this procession until a late hour last night; I then got a party and patrolled on to St. Johnstown; during the night found all tranquil.

I am, &c.
(signed) *James Taylor*, Sub-inspector, Co. Donegal.

Major D'Arcy.

Sir, Magherafelt, 13 July 1831.

I BEG leave to inform you that on yesterday I proceeded to the Loop, under the direction of Messrs. Conyngham, Staples and Spottiswood, with a company of the 67th regiment, commanded by Captain Wade; we remained there all the day. About one o'clock large bodies

(C. 4. *a.*)
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bodies of Orangemen approached the Loop in different directions, some from Monaghan, some from Magherafelt, some from Ballyronan; they had music and flags, and were unarmed; having been told by Mr. Conyngham he would not let them pass if they carried fire-arms. They were partially armed leaving their different towns, but left them that were armed behind them upon a hill that overlooks the Loop. Mr. Staples and I went towards the hill, when they scattered and all the bodies proceeded home in quietness; and, with the exception of firing a few random shots, the peace was not broken. Mr. Conyngham had to read the Riot Act to some Orangemen that subsequently came to the Loop, and took three old pistols from them, after which they dispersed. There were altogether 30 lodges, and about 1,500 people. I am persuaded, if precautionary measures had not been taken, that a collision would have taken place between them and the Ribbonmen. The magistrates ordered a few of the constables to remain on the roads all night; their report is, that the firing of shots through the night did not cease, but up to this, 11 o'clock, I have not heard of any outrage.

I have, &c.

Major D'Arcy. (signed) *William Crossly*, C. C. P.

(C. 4. *b.*)

— Appendix C. 4 *b.* —

REPORTS made by Magistrates, Police Authorities, &c. relating to the Celebration of 12 July 1832.

Sir, Portglenone, 6 July 1832.

I have the honour to report that Captain Brown, of the 23d Royal Welsh Fusileers, has resumed the command of the detachment at this station, and that he has qualified as a magistrate for the counties of Antrim and Londonderry, under the commissions transmitted to him.

I have not yet received any positive information as to the intentions of the Orangemen in this neighbourhood for the 12th of July, but rumour states that they are to assemble in this town in greater numbers and array than on any former occasion.

I shall therefore be happy to have the instructions of Government as to the line of conduct the magistrates are to pursue in the event of either Orangemen or Ribbonmen appearing in arms on the occasion above alluded to.

I have, &c.

Sir William Gossett, K. C. H., &c. &c. *Sylvester Jones*, Chief Magistrate.
Dublin Castle.

Sir, Dublin Castle, 9 July 1832.

I have to acknowledge the receipt of your letter of the 6th instant, requesting instructions from Government as to the line of conduct to be pursued by magistrates in the event of either Orangemen or Ribbonmen appearing in arms on the 12th of July next.

And, in reply, I am to refer you to the several letters (copies of which I enclose) which have been addressed to the several magistrates in Ireland for their guidance upon occasions of meetings such as you allude to.

I also enclose the copy of a recent circular communication, dated the 5th instant, which the Lord Lieutenant has caused to be addressed to the several magistrates in Ireland, containing some suggestions which are applicable to meetings arising from the present system of unlawful combinations.

I have, &c.

Sylvester Jones, Esq., C. M. *William Gosset.*
Portglenone.

Sir, Dungannon, 9 July 1832.

I have the honour to state, for the Lord Lieutenant's information, that the Orangemen of this district have come to a resolution of not marching into Dungannon on the 12th, but to assemble at M'Greew's, about four miles from this part.

May I therefore beg to be informed if it will be necessary for me to proceed there, in order to be able to make a report of the particulars, or not.

I have, &c.

Colonel Sir William Gosset, K. C. H. *David Duff*, Chief Constable.
&c. &c. &c.

Sir, Dublin Castle, 10 July 1832.

I have to acknowledge the receipt of your letter of the 9th instant, stating that the Orangemen of your district have come to a resolution of not marching into Dungannon on the 12th, but to assemble at M'Greew's, about four miles from that town, and requesting to be informed if it will be necessary for you to attend.

And

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(C. 4. b.)
Orange Processions.

And in reply I am to acquaint you, that it is the Lord Lieutenant's desire that you should attend at M'Grew's on the above occasion, for the purpose of reporting the full particulars of the meeting for his Excellency's information.

I have, &c.

David Duff, Esq., Chief Constable, Dungannon. *William Gosset.*

Sir, Belfast, 16 Aug. 1832.

I HAVE had the honour of your letter of the 27th ultimo, enclosing a statement relative to the proceedings of a party of Orangemen at Drumquin on the 12th, and having, agreeably to the Lord Lieutenant's commands, had inquiry made into the circumstances, beg leave now to acquaint you, for his Excellency's information, that on investigation the facts set forth in the memorial were in a great measure substantiated; but after the witnesses had been examined, a proposition was made on the part of the memorialist for an amicable adjustment, and entered into and signed by both parties, and requesting that no further notice might be taken of the matter.

The memorial is herewith returned, together with the document in question.

Lieut.-Col. Sir W. Gosset, K. C. H. &c. &c. &c. I have, &c. *Thomas D'Arcy*, I. G.

Sir, Dublin Castle, 1 September 1832.

THE Lord Lieutenant directs me to forward to you the enclosed memorial from certain of the inhabitants of the county of Tyrone, upon the subject of an attack stated to have been made upon them by a party of Orangemen, when returning from the fair of Drumquin, on the 15th ultimo.

And his Excellency requests you will cause an inquiry to be made into the circumstances set forth by the memorialists, and the results reported for his Excellency's consideration.

I am also to beg that the enclosure may be returned.

Major D'Arcy, &c. &c. &c. I have, &c. *E. G. Stanley.*

Drumquin Omagh, 13 July 1832.

May it please your Excellency,

WE feel sorry to have to trouble your Excellency with information of the danger of life to many peaceable subjects yesterday in this village. About 5,000 Orangemen, with banners and arms, playing party tunes, marched through this place.

When they met in Drumquin they fired in all directions, and continued the fire till they left our view. On coming to the house of the Rev. Arthur Staris, parish priest, they fired several times into his house, so that the inmates had to fly for shelter. One of the gang fired a ball, which, within 20 yards, grazed a man under the arm; and balls were heard whistling in all directions; no lives were lost, for no opposition whatever was given by the Catholics.

We can identify five pensioners in this dangerous body.

We humbly claim from your Excellency an investigation on the subject, and a future protection of our lives, because we dread a great effusion of blood on the next anniversary, because the opposite party, we fear, will no longer attend to the peaceful admonitions of their pastors.

We respectfully subscribe ourselves His Majesty's loyal subjects,

Arthur Staris, P. Langfield.
Js. M'Aleer, Curate.
Francis M'Nena.
Ferdinand O'Neill.

To his Excellency, the Marquis of Anglesea.

WHEREAS a memorial has been sent to Government, stating of firing shots by Orangemen, at the house of the Rev. Arthur Staris, and about Drumquin, &c. &c., an investigation ordered has been held, and to prevent future assaults and evils of this nature, we, the undersigned district master of Killen district, and the masters of the lodges of said district, do sign our names, that we will do all in our power, and order our men not to carry arms on procession days; and, consequently, no shots whatever to be fired that we can prevent. We, the memorialists, do also agree, that if the parties above-mentioned, with their men, do carry no arms in their processions, we will do all in our power that they be not molested. Whereunto both, viz. memorialists and the other party, have subscribed their names, and we wish for an amicable adjustment of the entire matter.

30 July, 1832.

John Simple,
Christopher Turner,
Thomas Irvine,
Annesly Cabote,
Samuel P. Tully,
Edward Irvine,
John M'Dermott.

Memorialists:

Arthur Staris, *Francis M'Nena,*
Js. M'Aleer, *Ferdinand O'Neill.*

(C. 4. *b.*)
Orange Processions.

Sir, Westport, 28 July 1832.

I HAVE the honour to enclose, for the information of his Excellency the Lord Lieutenant, the copy of a report (which followed me to this place) from the chief constable of police stationed at Ballymoney, detailing the proceedings of the Orangemen and Ribbonmen in the neighbourhood of Lissanour Castle, in the county of Antrim, on the 12th instant.

I have, &c.

Sir William Gosset, K. C. H., &c. &c.
Dublin Castle.

Sylvester Jones, Chief Magistrate.

Sir, Ballymoney, 13 July 1832.

BY desire of the Inspector-general I have the honour to report, for your information, that on yesterday morning, the 12th instant, about 300 Orangemen assembled in this town, and after walking through the streets with music and the colours of their lodges, they went to Lissanour Castle, the residence of George Macartney, Esq., where they were joined by from 5,000 to 6,000 other Orangemen from the different lodges in the neighbourhood, with similar banners and devices; and after taking some refreshment in the neighbourhood, and marching round Mr. Macartney's house, they returned home sober, and quietly dispersed. They had, as I can learn, only a few stand of arms, and did not fire many shots.

I have further to state, that some time after the Orangemen had left the neighbourhood of Lissanour, a number of Ribbonmen, amounting to near 500, encamped in a field at about a quarter of a mile distance from the residence of Mr. Macartney, and hoisted a white flag, fired several shots, and remained till a late hour at night.

I have, &c.

To Captain Jones, Chief Magistrate.

Somerset Corry,
Chief Constable of Police.

Sir, Belfast, 23 July 1832.

I HAD the honour of your letter of the 17th instant, enclosing one signed Patrick Rodgerson, and dated Omagh, 12 July 1832, stating that on the morning of that day the peaceable inhabitants of that town were put in the greatest surprise by shouting and other disgraceful practices, at one o'clock in the morning, and that the sub-sheriff of the county, Daniel Wilson, son to the clerk of the Crown, was the principal leader.

Having proceeded to Omagh, for the purpose of inquiring into the facts, I find there is not in that town or neighbourhood any person of the name of Patrick Rodgerson. There is a man of the name of Patrick Rogers, the same person who lately received 5 *l.* for the damages of two butcher's stalls by a police horse, who I questioned on the subject of writing to Government lately, either on or since the 12th instant; but he stated that he did not do so, or had any knowledge of the letter in question, and denied that the writing was his. I however made diligent inquiry, and ascertained that the sub-sheriff could not have headed the party at the time, for he was not out of his bed the morning in question until eight o'clock, and then hearing that two figures were suspended in the street, intended to be burned as effigies of Mr. Stanley, he went immediately and had them taken down, and subsequently rode out with the Orangemen to some distance from the town to see that no mischief was done, but not in the slightest way decorated with orange ribbons, lilies, or colours of any description. As to the expression stated to be made use of I believe there is not the slightest foundation for such a report; on the contrary, the Orangemen played the national air of God save the King, and after dinner, when a number of the most respectable had assembled, the first toast was the King's health.

The enclosed is herewith returned as directed.

I have, &c.

Lieut.-colonel Sir W. Gosset, K. C. H.,
&c. &c. &c.

Thomas D'Arcy, I. G.

Sir, Omagh, 12 July 1832.

MAY I beg to inform you that this morning the peaceable inhabitants of Omagh were put in the greatest surprise by shouting and other disgraceful practices at one o'clock in the morning. The principal leader was the sub-sheriff of the county Tyrone, Daniel Wilson, and who is son to the clerk of the Crown for this county. The Catholics may well expect even-handed justice from such a tribunal, after bellowing from one end of the town to the other "To Hell with the King, Earl Grey, the Ministry, Stanley, &c." They had two likenesses of Mr. Stanley prepared, which they hung up by the neck at each end of the town in the most disgraceful manner. I have now stated the facts, which can be proved, and leave it in your hands to dispose of as you think proper.

I have, &c.

Patrick Rodgerson.

(C.4. *b.*)
Orange Processions.

Sir, Dublin Castle, 17 July 1832.

I TRANSMIT to you, by direction of the Lord Lieutenant, a report from Mr. Patrick Rodgerson, of certain proceedings which are therein stated to have taken place at Omagh, on the morning of the 12th instant.

His Excellency wishes you to make inquiry so as to ascertain the general correctness of this statement, and if the expression of "To Hell with the King," was made use of, whether the persons who uttered it can be identified.

I am to beg that the enclosure may be returned.

I have, &c.

Major D'Arcy, &c. &c. &c. *William Gosset.*

Sir, Camla, Monaghan, 15 July 1832.

I HAVE the honour to report, for the information of his Excellency, that on the morning of the 12th of July an Orange procession paraded through the streets of Monaghan, before the judges of assize had left the town, with their usual badges, banners flying, a fife and drum attached to each lodge, playing party tunes; no arms, except two men with swords after each flag. They moved to a village five miles off, and returned by a different circuit.

In the afternoon information was sent in that a large number of Catholics had assembled at Tyhollan Chapel, three miles from Monaghan, all armed.

All the magistrates then in the town moved off immediately, accompanied by a detachment of the 4th Dragoon Guards and some police; we found them at the chapel. On being asked their cause of assembling there armed, they replied, to protect their chapel, which they had been told was to have been attacked by the procession on its return. I assured them there was no such intention, but that I would post a guard there for its security, which I did, and then desired them to disperse and go home, which they at once conformed to.

We found a placard, similar to the enclosed, posted up at the chapel gate. We circulated a notice in the evening, that if such a meeting took place, it should be dispersed. We moved out to Tyhollan Chapel at 11 o'clock on Saturday morning, with the same force; there was no appearance of any assembly, and all was quiet.

I have been informed a more numerous procession assembled on the 12th at Ballibay, about 5,000. A part of them had arms, to protect themselves on their return home, as on that day twelvemonth they had been attacked.

The spasmodic cholera made its appearance in Monaghan on the 11th; there have been seven cases, five of whom have died.

I have, &c.

To Col. Sir Wm. Gosset, &c. &c. &c. *Henry Westenra,* Vice-lieutenant.

Sir, Dublin Castle, 18 July 1832.

I HAVE the honour to acknowledge the receipt of your communication of the 15th instant, respecting the procession of Orangemen on the 12th instant at Monaghan, and the collision which was likely to have taken place between them and a number of armed Catholics, who had assembled at the Chapel of Tyhollan.

And I beg to acquaint you, that the Lord Lieutenant observes, that the arrangements which you adopted on the above occasion appear to have been extremely judicious, and have his Excellency's entire approbation.

I have, &c.

Henry Westenra, Esq.
Vice-lieutenant County Monaghan,
Camla, Monaghan. *Wm. Gosset.*

Natural Death.

Awful News!

Two respectable and famous characters have died lately of cholera morbus, Tithes and Church Cess! Both will be interred on Saturday next, at 12 o'clock; it is expected that *all* will attend the funeral, in order to bury them with honour.

Tyholand, 7 July 1832. *Tommy Downshire.*

Sir, Belfast, 13 July 1832.

I THINK it right to acquaint you, for the information of his Excellency the Lord Lieutenant, that a very numerous procession of Orangemen, carrying 40 flags, with music, colours, &c. took place in this town yesterday, when they marched to Ballymacarrat Church, returned into the town, and paraded the streets for several hours. At intervals during their march pistol-shots were fired, by one of which, I regret to say, a bullet was discharged into an upper window of Mr. John Sinclair's house in Donegal-place, fortunately without injury to any of the inmates. This occurred about half-past four o'clock, but was not generally known for some hours after; in other respects the day passed off quietly,

(C. 4. *b.*)
Orange Processions.

and all retired at an early hour. This assembly was composed of persons of the farming and manufacturing classes, and none of a better description appeared to take part in it.

I also beg to acquaint you, that by this morning's post I have had reports from some of the chief constables of Armagh, Monaghan and Down, relative to the proceedings of yesterday; from which it appears that Orange processions have taken place in those counties. At the village of Middleton, a few miles from Armagh, 17 lodges met from different parts of the country, many of them armed; but all dispersed by five o'clock, without any further disturbance. A chief constable and strong party of police attended to preserve the peace. The Orangemen of the county Monaghan assembled at Glasslough, Drum and Ballibay.

At Newry, processions took place between that town and Warrenpoint; and on the return of the Orangemen in the evening into Newry, they were attacked by the Roman-catholics. On this the Orangemen faced round, when the chief constable, who arrived at the time with the police under his charge, got between the combatants, and notwithstanding a severe blow of a stone which he received in the mouth, succeeded in preventing any further collision, and finally prevailed on the parties to disperse.

I have, &c.

Lieut.-Col. Sir Wm. Gosset, K. C. H.
&c. &c. &c.

Thomas D'Arcy, I. G.

Sir, Maghera, 13 July 1832.

I HAVE the honour to inform you, that yesterday passed off in the most quiet manner in every part of this district. The Orangemen of Bellaghy and Tamlaght marched in procession to Portglenone, and returned early in the day; those of Maghera, Tolumore, &c. assembled here and went to church, where service was performed by the Rev. Mr. Vesey. In Magherafelt and Moneymore, they walked through the town and country, and dispersed to their several lodge-rooms; they had no arms of any kind. The Rev. Mr. Quinn, P. P., and his niece, displayed large bunches of Orange lilies in their breasts in Magherafelt; and one body of Orangemen spent the evening in a Roman-catholic public-house; in fact, both Protestant and Catholic seemed determined to be in good humour with each other.

I am, &c.

Major D'Arcy, Inspr Genl.
&c. &c. &c.

Wm. Crossley.

Sir, Arncy Bridge, 13 July 1832.

I AM happy to acquaint you that everything went off quietly in this district yesterday; the Orangemen walked as usual, but no opposition was offered to them; the Catholics minded their business, and allowed them to pass. Now the thing is over, and I may perhaps be allowed to give my opinion, and that is, if such a thing should take place next year, the whole country will be drenched in blood; and it would have been the case yesterday, only for the result of a meeting of the captains of counties which took place in Enniskillen on the 10th instant, where it was agreed that the Catholics should offer no opposition, but that this was the last time the Orangemen should walk without being opposed. Now mark my words, and if the Government does not put a stop to those processions before next time, the country will be destroyed. The decision of the meeting in Enniskillen, on the 10th instant, was circulated like lightning among the Catholics, and in many places it was very reluctantly obeyed.

I am, &c.

Major D'Arcy, Inspector-general,
&c. &c. &c. Belfast.

John Joyce,
Sub-Inspector and Paymaster.

P. S.—I know that in some places the committee-men of lodges called in and took charge of the 10 men's pikes under their different charges; and the men were ordered on no account to cut or to provide themselves with handles, until they would get positive orders so to do. I send you a letter I received the 10th, through the post-office; when it was written the thing was intended.

Sir, 9th July.

BY means of Protestants myself and family have been brought from want to wealth, therefore I hold it as a duty I owe them as a people to give them warning through you that they and you are upon the point of destruction; there is a force coming that will crush Fermanagh. To avert the danger, the universal massacre that is intended, use your immediate influence to have all police, yeomen and Orangemen on patrol through the county this night; there will come people to Enniskillen on the 10th, that does not intend to leave it till it is their own. Do not look carelessly on this; as much depends upon it as did upon the nameless letter that destroyed the Gunpowder Plot.

Farewell. I am to you and every Protestant a true R. Catholic friend.

(C. 4. *b.*)
Orange Processions.

Sir, Ballinamore, 13 July 1832.

I HAVE the honour to enclose you the correspondence of the Carrigallen Magistrates with the Orange lodges of that district, as they have appeared in print. It appears, that they not only did not walk either at Ballinamore or Carrigallen in procession, but avoided even meeting in their respective lodges. I have, however, just received information, that several hundreds of the opposite party assembled at Newtowngore last night, for the purpose of attacking some of the Orangemen, who were expected there from Killeshandra, and it is said they were armed with pikes, bayonets on poles, and pitchforks, &c. I am told that Major Faris went to them, and succeeded in dispersing them, under certain stipulations, without any act of violence having been committed on either side.

I apprised both Mr. Lawder and Mr. Acheson O'Brien, that a rumour had prevailed in Ballinamore on Tuesday, that there was to be an assemblage at Newtowngore on the 12th, under the avowed purpose of having a horse race.

Several persons were assaulted on Tuesday night by the mob that had assembled here, as they passed through the mountain on their way home. Mr. A. O'Brien has taken the depositions of the wounded persons.

I have, &c.

Major Warburton, Inspector-general, &c. &c. &c. *John Wright.*

Gentlemen, Drumsilla, 10 July 1832.

HAVING been informed that the Orangemen of this neighbourhood intend walking in procession on the 12th instant, and being fully convinced, that under existing circumstances, their doing so would, instead of serving, tend to injure that cause to which our loyal inhabitants have ever been attached.

We, therefore, as friends to your loyal institution, beg leave to offer our advice, and earnestly request, that you will for this time, refrain from your usual demonstrations on the approaching anniversary of the battle of the Boyne.

Gentlemen, by your voluntarily complying with this advice and request, we offer with the most sincere attachment to your interests, you will confer a lasting obligation on

Gentlemen, your attached friends,

Richard Irwin.
Acheson O'Brien.
William Irwin.

To the Masters and Brethren of the Orange Association at Carrigallen.

Gentlemen, Carrigallen, 10 July 1832.

WE are honoured with your letter of this day, requesting us to forego our accustomed procession on the 12th inst. Entertaining as we do, the highest esteem for you personally, as also respect for the official characters which you sustain, as Deputy Lord Lieutenants of the county Leitrim, and being well aware of your attachment to the laws and constitution, we shall most willingly comply with your request on the present occasion.

We beg to assure you, that we are influenced solely by your entreaty, as we were prepared and determined to walk in procession, undeterred either by former petitions or present threats.

We have, &c.

Arnold Goodwin, Deputy D. M.
James Gibson, Dist. Secty. and Master Avilla.
John Gibson, Master Carrigallen.
James Goodwin, Master Corglass.
John Sutton, Master Newtowngore.
William M'Ginley, Master Aughavass.
Richard Baird, Master Kivey.
James Monaghan, Master 2d Carrigallen.
William Campbell, Master Keelran.

To Richard Irwin, Acheson O'Brien and William Irwin, esquires, Deputy Lord Lieutenants, County Leitrim.

Sir, Ballibay, 13 July 1832.

I BEG leave to state to you, for the information of Government, that a very large procession of Orangemen took place yesterday in this town, with music, banners, flags, &c. and all the other usual insignia of Orangemen, some firelocks, and a good many pistols; for the last four years I have not seen anything like so large an assemblage in this place; the whole passed off quite tranquilly, without the least disturbance or breach of the peace.

In the absence of any instructions from Government, I deemed it prudent to attend at this place rather than at Castleblayney, knowing there would be a considerable body here, and as the assizes had not terminated at Monaghan, I scarcely expected a magistrate would attend; however, about three o'clock, P.M., Major Richardson came, and remained during the night.

I have, &c.

Sir Wm. Gosset, &c. &c. &c. *E. A. Douglas*, Lieut. H. P.

(C. 4. *b.*)
Orange Processions.

Sir, Portglenone, 13 July 1832.

We have the honour to report for the information of his Excellency the Lord Lieutenant, that the 12th of July has passed off most peaceably in this district.

At about three o'clock in the afternoon of yesterday, a number of persons bearing Orange insignia, and consisting principally of very young lads, came into this town in procession, with drums and fifes, amounting in the whole to between 500 and 600; and after remaining for something more than an hour, for refreshments, returned to their several habitations, in the same order in which they came.

We have with pleasure to state, that the Roman-catholic clergy of the neighbourhood have been for some months past engaged in endeavouring to persuade their people not to interfere with the idle displays of the opposite party; but succeeded, we are are sorry to learn, no further, than to obtain a conditional acquiescence to their wishes, as the Ribbonmen expressed their determination to turn out, if the Orangemen had appeared in arms. Every effort was, therefore, made on our part to be prepared for, and to prevent a collision between the parties, by posting the military and police force at our disposal at the point where it was expected the two parties were most likely to meet, and with a view of taking such other steps as the appearance and demeanour of the assemblage might render necessary.

Referring to the general instructions contained in the several letters addressed by Government to the magistrates, we are aware, that by a strict observance of the letter of the law, it was, perhaps, our duty to have dispersed the meeting above alluded to; however, upon its appearing that they were not armed, we considered it the most prudent course to watch their movements, for we had well-grounded fears, that by at once dispersing the assemblage, it would have given encouragement to some of the bad characters among the Ribbonmen to turn out and cut off the Orangemen in their retreat, many of whom were at a considerable distance from their homes.

The respectable Roman-catholics in this neighbourhood express no angry feelings at the occurrences of the day, on the contrary, hail with pleasure, and some degree of triumph, the circumstance of the Orangemen having left their arms behind them, and their having abstained from these violent demonstrations usual on former occasions, and which so often raised in the minds of the Catholics terror and alarm for the personal safety of themselves and families.

We beg leave to add, that we have caused several of the individuals most prominently engaged in the procession of yesterday, to be identified by the police, for the purpose of having informations sworn against them, if His Majesty's Government should so direct.

We have, &c.

Sylv. Jones, Chief Magistrate.
John Brown, Capt. 23d R. N. Fusileers and J. P.

Sir William Gosset, K.C.H. &c. &c. &c.
Dublin Castle.

Gentlemen, Dublin Castle, 17 July 1832.

With reference to your joint report of the 13th instant of the proceedings which took place at Portglenone on the preceding day, I am directed by the Lord Lieutenant to acquaint you, that under all the circumstances of the case, it does not appear expedient to take any steps against the persons who can be identified as having been engaged in these transactions.

I have, &c.

Wm. Gosset.

S. Jones, Esq. C. M.
Captain Brown, 23d Regt. J. P.
Portglenone.

Sir, Hillsborough, 13 July 1832.

I have the honour to inform you that a small number of Orangemen (about 150) marched out of this town, in procession, yesterday morning, with flags and music, to Moira, apparently unarmed; however, soon after passing the police barrack, four or five shots were fired by them. They returned about half-past six o'clock, P.M., one of them, whose name is unknown to the police, carrying a musket, and soon after dispersed quietly. Not the slightest disturbance occurred, that I am aware of, either in this town or neighbourhood, nor was the least alarm created by the procession.

Some of the persons who composed the procession can be identified by the police; I therefore beg to know if it is your wish that I should have informations sworn against them for joining in it.

I have, &c.,

M. Crofton, Sub-inspector of Down.

Sir William Gosset,
&c. &c. &c.

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(C. 4. b.)
Orange Processions.

Sir, Monaghan, 13 July 1832.

I BEG leave to report to you, for the information of his Excellency the Lord Lieutenant, that an Orange procession took place here yesterday; it had been previously arranged that they would meet at Ballybay, but from some subsequent order about 1,500 paraded with banners and music through this town, and afterwards proceeded to Glasslogh, five miles from this, when they met about the same number from that part of the country. Immediately after the procession had passed through this, information was received that a large number of the Catholic party had assembled, armed, at the chapel of Tyhollon, near which the Orangemen intended to pass, and that a collision was expected. I immediately proceeded, with 20 police, accompanied by seven magistrates and a troop of the 4th Dragoon Guards, to the chapel of Tyhollon, where (although a number had dispersed on our appearance) we found more than 500 men, armed with guns, pistols, forks, bayonets on the end of poles, &c. &c. On being required to disperse, they said they understood the Orangemen had threatened to destroy the chapel, but on being assured it would be protected they dispersed. The military having been withdrawn, I remained with my party and one magistrate at the chapel till a late hour, without any violence being offered, and am happy to say I am not aware of any having occurred in this district during the day. I cannot conclude this report without observing that the population of this district appear to be in a very unsettled state.

I have, &c.,

Sir Wm. Gosset, &c. &c. &c.
Dublin Castle.

J. Johnston, Chief Constable.

Sir, Great Cumberland-place, 6 July 1832.

As I have been for some time in correspondence with the magistrates in those parts of Leitrim where I thought it likely that Orange processions might take place on the 12th inst., it may perhaps be satisfactory to the Lord Lieutenant to hear, that, with the exception of that part of the county which borders upon Cavan, I have reason to believe the processions will be discontinued. At Ballinamore, where there was much excitement lately, both among Catholics and Protestants, and where I feared that the Orangemen would have walked in procession, my information leads me to believe that the intention has been given up. The only district in which I think it probable that a procession may take place, is in the neighbourhood of Carrigallen, from whence I understand that the Orangemen intend to march to Aran in Cavan, and back again; and I believe that there would not even then have been any procession but for the excitement produced by the Conservative meetings lately held in Dublin.

I have thought it my duty to make this communication to you, for the information of the Lord Lieutenant, in case his Excellency should think it necessary to send any instructions to the country in consequence. In the meantime I have myself written to Major Irwin and Mr. Acheson O'Brien, the two magistrates at present in the county nearest to Carrigallen, to suggest such precautionary measures as seemed to me to be desirable; and I have no doubt that every exertion will be made by them to prevent the procession, if it does take place, from leading to a breach of the peace.

I have, &c.,

Sir William Gosset, G. C. H.
&c. &c. &c.

Leitrim.

My Lord, Dublin, 9 July.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 6th instant, relative to the expected conduct of the Orangemen in Leitrim and the immediate neighbourhood, on the 12th instant, and having submitted your Lordship's communication to the Lord Lieutenant, I am directed to express his satisfaction at the steps you have taken to prevent a breach of the peace on that day; at the same time that His Excellency regrets, that from the small number of troops at the disposal of the Government, and the various and increased demands for their services, it will not be in his power to afford a military force to be sent to Carrigallen.

I have, &c.,

To the Earl of Leitrim.

(signed) *W. Gosset.*

Appendix (C. 5. *a.*)

(C. 5. *a.*) Orange Processions.

CORRESPONDENCE with Magistrates and Others relative to ORANGE PROCESSIONS on 12th July 1833.

Sir, Loughbrickland, 8 July 1833.

NOT having heard from Lord Downshire, (as Lord Lieutenant of this county) in reply to a copy of my communication to you of the 2d July, which I transmitted him, I have in consequence thought it advisable to convene a meeting of the magistrates of this immediate neighbourhood, at Banbridge, on Wednesday next, the 10th instant, in order that such measures may be taken as will preserve the peace on the approaching 12th.

From all the information I can collect, I have no doubt but there will be processions in this neighbourhood; I therefore address you for information for the guidance of the magistrates, whether it is the intention of Government that they should be prevented walking in procession on that day.

Whatever instructions I may have the honour of receiving from you, I hope to receive in time to lay them before the magistrates on Wednesday next.

I have, &c.

Sir William Gosset, &c. &c. &c.
Dublin Castle.

Nicholas Thomas Whyte,
Deputy-lieutenant, County Down.

I presume, Sir, you are aware we have a strong military force, both in this place and Banbridge, under command of Colonel Jackson, of the Carbineers.

Sir, Dublin Castle, 9 July 1833.

YOUR letter of the 8th instant, respecting the intended processions in your neighbourhood, on the approaching 12th, having been submitted to the law adviser of Government, I am now directed to acquaint you that he is of opinion that all processions of persons, however composed, for the purpose of celebrating or commemorating any anniversary or political event, relating to or connected with any religious or other distinction or difference between any classes of His Majesty's subjects, are illegal. If the intended processions therefore shall fall within this description (as they probably will), all joining in them will be liable to a prosecution for a misdemeanor, and it will be the duty of magistrates, and of all concerned in the execution of the law, to mark such offenders, and have informations sworn touching their conduct. The prevention of such meetings, by previous notice, on the ground of their presumed illegality, would not, the law adviser thinks, be strictly justifiable, unless the probability of a violation of the public peace should render it necessary.

In the event of apprehension of that nature, verified by sworn informations, it would be the right and the duty of magistrates to obviate mischief by preventing the meeting.

If any actual violence or outrage shall occur, the magistrates and police will be justified in resorting to all requisite means to suppress it. And if the parties assembled shall, in the opinion of the magistrates, fall within the provisions of the Act against Party Processions, (2 & 3 W. 4, c. 118.) the magistrates may, under that Act, call upon them to disperse, and apprehend them in case of refusal.

I have, &c.
W. Gosset.

Nicholas T. Whyte, Esq.
Deputy-lieutenant, County Down, Loughbrickland.

Sir, Warren Point, 7 July 1833.

I HAVE endeavoured to ascertain the state of feeling of the parties in the north respecting the ensuing 12th of July; the result is as follows: In the county of Armagh there will, by all accounts, be nothing mischievous, but what a little energy on the part of the local authorities may avert.

The town and neighbourhood of Belfast will require the utmost attention to prevent riot.

In

In Newry, the addition of a squadron of dragoons, as reinforcement to the garrison, would be a measure of necessary precaution; and the occupation of Rathfriland by a small body of troops would be perhaps requisite, as the Orangemen thereabouts seem determined to go in procession.

The grand masters have, it is true, forbidden processions in Newry, but I do not think they will be obeyed, as with very few exceptions the Orangemen are of the lowest classes of society, who, being armed and intoxicated, may do much mischief.

I do not hear of any attempt to invade the county Louth this year; they were cured of that mania the last 12th of July.

I have, &c.

Sir William Gosset, &c. &c. &c. *Francis Dubourdieu.*
Castle, Dublin.

Sir, Dromore, 1 July 1833.

HAVING this day received information that a number of the Orangemen of this district intend to walk in procession on the 12th instant, and that a similar resolution has been adopted in some of the adjoining districts, I considered it to be my duty to convey to you, for the information of his Excellency the Lord Lieutenant, the earliest possible notice of such their intention.

I have, &c.

Sir William Gosset, &c. &c. &c. *H. Boyd.*

Sir, Dublin Castle, 3 July 1833.

HAVING submitted to the Lord Lieutenant your letter of the 1st instant on the subject of Orangemen, his Excellency desires me to thank you for your communication, and also to forward to you a few copies of a circular letter which has been distributed with the view of preventing the assemblies to which you allude.

I have, &c.

H. Boyd, Esq., Dromore. *William Gosset.*

Sir, Dublin Castle, 6 July 1833.

I HAVE received your letter of the 4th instant relating to the exhibition of party spirit at and in the vicinity of Newtown-Hamilton. I have only to remark in reply, that, Green or Orange, these meetings must if possible be prevented; if that cannot be done, their proceedings must be narrowly watched and reported upon, as well as the names of the persons taking a conspicuous part in them.

I am, &c.

Geo. S. Hill, Esq. Chief Constable, *William Gosset.*
Newtown-Hamilton.

Sir, Newtown-Hamilton, 4 July 1833.

I BEG leave to state, that on the 24th of June a party with green flags and drums and fifes marched near Ballymoyer, and halted at a place called the "White Cross." After having refreshed themselves, they separated without doing any harm except firing a number of shots.

I have also to add, that on the evening of the 1st inst. a party came into this village with two orange flags, and playing party tunes with drums and fifes; they also fired some shots.

On being asked their motive for thus assembling, they said "It was their turn *now*, as the Ribbonmen had *walked* on the 24th of June."

I have, &c.,

Geo. S. Hill, C. C. P.

(C. 5. *a.*)
Orange Processions.

Sir, Hillsborough, 4 July 1833.

I HAVE the honour to inform you, that the late Major D'Arcy (when no particular orders were issued by Government) always directed the police of the several districts to assemble at the stations of the respective chief constables on the 12th of July, so as to be in readiness to act in a body, for the preservation of the peace, if necessary.

May I therefore beg to know if you wish that course to be pursued on the present occasion?

I have, &c.

Col. Sir William Gosset, K.C.H. *M. Crofton*, Sub-inspector of Down.
&c. &c. &c.

Sir, Dublin Castle, 8 July 1833.

I AM directed to acquaint you, in reply to your letter of the 4th inst., that the Lord Lieutenant approves of your adopting the course usually pursued of assembling at the stations of the respective chief constables in the county of Down the police force attached to each, on the 12th inst., in order that they may be in readiness to act in a body, for the preservation of the peace, should it be found necessary.

I am, &c.,
(signed) *W. Gosset.*

P. S.—Should you be of opinion that any better arrangement can be made, you are at liberty to adopt it.

M. Crofton, Esq., S. I. Hillsborough.

Sir, Dublin Castle, 15 July 1833.

I BEG to acknowledge the receipt of your report on the state of Portglenone and its vicinity on the 12th inst. I should be glad to know in what respect the Act of 2d & 3d of the present King will be found inadequate to suppress the processions. As very violent conduct was displayed by the party of Orangemen who were marching upon Portglenone, and whom you induced to disperse, it is hoped you have marked the persons who have been guilty of it. You will be so good as to transmit a list of those who can be identified as having been engaged, and in the meantime obtain sworn information, detailing the particulars of the transaction, the conduct of those assembled, and the party symbols, if any exhibited, so that means may be afforded of prosecuting such as shall appear to have incurred the penalty of the law.

I am, &c.
J. G. Jones, Esq. *W. Gosset.*

Sir, Portglenone, 12 July 1833.

I HAVE the honour to inform you, that this day passed off as well as I possibly could expect.

With some perseverance, pains, and persuasion, all symbols of party distinction were taken down here. About two o'clock, P. M. I received information that a very large body of Orangemen were marching on this town; I went out to meet them, accompanied with a military and police detachment, and read the command to disperse, when, after very violent conduct, they passed off to their homes.

Up to this hour, 10 P. M., I have not heard that any collision took place between the Roman-catholics and Orangemen. I much fear that the Act of the 2d & 3d of our present Majesty will be found inadequate to suppress these processions.

I regret to add, that the asperities of party feeling are as rancorous here as it is possible to conceive; it will require much temper, decision, and unwearied exertion, to give a charitable tone to the intercourse of the peasantry of this neighbourhood.

Colonel Sir W. Gosset, I have, &c.
&c. &c. *John Gore Jones.*

Sir, Aughnacloy, 12 August 1833.

I BEG to state for your information that I attended this day at petty sessions, Aughnacloy, when a number of persons had been summoned for appearing in procession on the 12th July last.

The magistrates received the informations of the police, and will hold the accused persons to bail next petty session day.

I have, &c.

Sir W. Gosset, &c. &c. &c.

E. A. Douglass, Lieut. H. P., C. C. P.

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(C. 5.a.)
Orange Processions.

Sir, Monaghan, 7 August 1833.

I BEG leave to report to you, for the information of His Excellency the Lord Lieutenant, that I had the persons who formed part of an Orange procession in this district, on the 12th ult. as reported, made amenable yesterday, at the adjourned assizes for this county; nine of them were put on trial, and although the case was fully proved of their marching in procession, with banners, music, and other decorations, the jury, which consisted of half Protestants and half Catholics, after a short consultation acquitted them; in consequence the Crown lawyers postponed the trial of the remainder till next assizes.

I have, &c.

Sir Wm. Gosset, &c. &c. &c.

J. Johnston, C. C.

Sir, Clogher, 7 August 1833.

I BEG leave to acknowledge the receipt of your letter of the 5th instant, which I yesterday submitted to the magistrates in petty sessions at Augher. All the parties, as stated in the informations of Constable Moore, viz. James Niely, James Bell, John Macnamara, Ephraim Holmes, James Thompson, John Collier, and James Stien, appeared before the bench on a magistrate's summons. In their defence they each and all said, that had they known that appearing in procession on the 12th of July was contrary to law, they would not, on any account, have done so; and they further declare, that had they been told when walking in procession that they were acting illegally, they would immediately have desisted.

The magistrates request me to lay this statement before Government, and to say that they have postponed taking the informations of the constable until next petty session day, in hopes of hearing further from Government on this subject.

I have, &c.

Sir Wm. Gosset, &c. &c. &c.

E. A. Douglass, Lieut. H. P., C. C. P.

Sir, Dublin Castle, 13 August 1833.

HAVING submitted to the law officers of the Crown your letter of the 7th instant, communicating the grounds upon which the magistrates at Augher petty sessions have postponed taking the informations of the constable, against the persons who committed a breach of the Procession Act on the 12th of July last; I am directed to acquaint you that the Attorney-general thinks that the magistrates are bound to take the informations.

I am, &c.

Lieutenant Douglass, C. C. P.
Clogher.

Wm. Gosset.

Sir, Clogher, 30 July 1833.

IN reference to your letter of the 15th instant, directing me to take the necessary steps for procuring sworn informations to be made in regard of those persons whose names I returned as having appeared in procession on the 12th instant, I herewith beg to enclose you copy of the informations I had drawn out and tendered to some of the magistrates of this district. These magistrates have an objection to take the informations of the police, without first having the persons against whom they tender them summoned to the petty sessions, as the case, in their construction of the Act of Parliament, amounts only to a misdemeanor. This is Mr. Moutray's view of the matter, an old and experienced magistrate, and a deputy lieutenant. Mr. Moutray is ready at any time to sign summonses to bring the persons charged with appearing in procession, before the bench at petty sessions, but he declines to sign the enclosed informations previous to that being done. In consequence of the assizes, and the press of county business, there have not been any petty sessions held for this immediate part of the district since I received instructions to prepare the informations, otherwise I should have had the parties regularly summoned to appear before the bench at petty sessions, as the magistrates do not wish to act before such a step is taken. I therefore deem it proper to apprise Government how I am situated, and to request instructions how to act.

I have, &c.,

Sir W. Gosset, &c. &c. &c.

E. A. Douglass, Lieut. H. P., C. C. P.

Sir, Dublin Castle, 5 August 1833.

I HAVE to acknowledge the receipt of your letter of the 30th ultimo, enclosing copies of informations relative to Orange processions on the 12th July last, and stating the opinion of the magistrates of your district with regard to the case in question, which I have laid before the Crown counsel, who does not object to the magistrates deciding in this, as in other cases of misdemeanor, at petty sessions; but when the violation of the law is so notorious,

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and is so directly sworn to, he thinks the magistrates might, without the slightest impropriety, proceed to hold the parties to bail, the more especially as the investigation and litigation of this matter in open court must add to the prevailing excitement. However, the Crown counsel does not mean to say that the magistrates may not and ought not to summon the parties, and proceed as in other similar cases.

I have, &c.,

E. A. Douglass, Esq., Clogher. (signed) *W. Gosset.*

Sir, Dublin Castle, 22 July 1833

Adverting to the Orange procession which passed through the village of Innisrush, within one mile of Portglenone, upon which occasion it appears you stopped the procession, read the Riot Act, (presumed to be the proclamation prescribed by the Act of the last Session,) and commanded them to disperse; I am directed to acquaint you that the Lord Lieutenant has caused the several papers connected with this transaction to be submitted to the Attorney-general; and his Excellency desires me to convey to you his opinion, that, in this case there may and should be proceedings taken to have the principal and most active of the parties brought before a magistrate and convicted summarily; you will, therefore, cause the necessary measures to be immediately taken for carrying these instructions into effect, so far as the meeting at Innisrush is concerned.

His Excellency thinks it quite essential to show by the actual use of this special power, that the provisions of the Act of last Session, to restrain party processions in Ireland, can neither be evaded, nor the punishment of persons who violate them delayed; but it is of no small importance that this course be pursued with reference to the instruction of the magistrates, who, in many places, appear to have been passive spectators of these processions, omitting to perform the duty which the Act prescribed to them, and thereby preventing the possibility of summary inquiry, and speedy punishment. They will see what of their own authority could and might have been done, and it is to be hoped, that on no similar occasion, will instances occur of ignorance or neglect of duty, such as are now before the Government.

I have, &c.

—— Ellis, J. P., Portglenone. *W. Gosset.*

Sir, Dublin Castle, 24 July 1833.

In returning herewith the informations transmitted with your letter of the 20th instant, detailing the particulars, &c. of the Orange procession which took place at Garvagh on the 12th, the Attorney-general, before whom they were laid, thinks that you ought to summon the parties charged, and proceed at the petty sessions to try them, and if convicted, they should be punished. Upon this point the Attorney refers to his instructions, which were embodied in the communication which I addressed to you on the 22d of this month.

W. Crossley, Esq. I am, &c.
Sub-inspector, Garvagh. *W. Gosset.*

Sir, Garvagh, 20 July 1833.

I have the honour of transmitting herewith, three informations, taken by me, detailing the particulars, &c. of the Orange procession which took place here on the 12th instant.

I beg leave to inform you, the words that I read to the persons composing the procession were those contained in the Act 2 & 3 Will. 4, s. 2.

I have, &c.

Colonel Sir William Gosset, *William Crossley*, Sub-inspector,
&c. &c. &c. Londonderry.

Sir, Coote Hill, Thursday, 18 July 1833.

I have the honour to report to you that I arrived here this morning, and immediately proceeded to make inquiries relative to the transactions of the 12th of this month, and now submit to you the result of my inquiries. It appears that in consequence of the instructions received by him on the subject of Orange processions, Mr. Shiel, the chief constable stationed here, waited on the most influential of the Orange body, and signified to them his determination to put in force the instructions he had received. The consequence was, that until a late hour of the day, no display or procession took place. About six o'clock, however, in the evening, some of the members of the lodge of this town determined upon having a procession, and in accordance with this determination, a small body of Orangemen, with one flag, paraded up the main street. The 12th being the fair day, a vast concourse of country people were assembled in Coote-hill, and notwithstanding the remonstrance, and indeed opposition, of Chief-constable Shiel, the Orangemen obstinately directed their course to, and through that part of the town where the country people were chiefly collected. The procession was consequently followed by great crowds, evincing their disapprobation by hisses and yells, and occasionally stones were thrown by some one

or

or other of the following crowds. At one part of the street, and close to the market-place, an affray commenced between the Orangemen and a large body of the country people, brought about, it is reported, by the latter having assailed the former with stones; while the country people assert that the assault with stones was caused by one of the Orangemen having struck one of themselves with a stick. There were not more than 60 Orangemen in the procession, and I understand that few of them were armed, and these only with swords and bayonets, no fire-arms appearing amongst them; nor can I learn that more than one was fired. At all events, no gunshot wounds were inflicted. All the fatal injuries were caused by sharp-pointed instruments. It is said that many on both sides were severely wounded; few or none of the Orangemen escaping, while of the country people, it is ascertained that 12 or 13 were wounded, two killed on the spot, and two have since died of their wounds. The general impression is, that had it not been for the interference of the police, the Orange body would have suffered dreadfully, being such a small body opposed, it is supposed, to upwards of 1,000 of the town and country people. I deem it right to say that no animosity was shown by the country people towards the police, and any injuries received by them must be considered as accidental. One woman was knocked down by a countryman with a piece of timber, and she, I hear, is considered in some danger; the man is in custody.

As to the question, by whom the affray was commenced, it is now impossible to obtain decisive information; but it is evident that had not the Orangemen obstinately persisted, contrary to the advice of Chief-constable Shiel, and in opposition to the efforts of the police to prevent them, made the display they did, no collision would have taken place. And that they were determined not to avoid collision is equally evident, from their moving their procession upon the very point where the country people were collected in the greatest force, and where it was therefore most to be expected.

An inquest has been held on the body of one of the countrymen killed in the affray, and a verdict of wilful murder found against persons unknown. On another, the verdict has been, died of wounds inflicted by John Allen (not one of the procession on the 12th, but an Orangeman.)

The excitement arising from the unfortunate events of the 12th has reached to a most frightful pitch, and but for the presence of the military, danger to the town might be apprehended; but at present I see no reason for increasing the military protection. In consequence of the affray of the 12th, on the 15th an unfortunate Protestant was waylaid, and murdered, by a number of persons who had been at the funeral of one of the men killed by the Orangemen on the 12th. This poor man, whose name was Mills, was not an Orangeman, and of this his murderers were apprised when going to murder him; but they said it was enough for them that he was a Protestant. The jury, composed of equal numbers, Protestant and Catholic, are still sitting on the inquest.

It has just been reported to me that the Catholics have expressed a determination to march (as it is called) on Sunday next. This they did last year into Cavan to the amount of 6,000 people, but were quite peaceable. I will, however, take measures to ensure the preservation of the peace this time.

The jury not yet out.

Six o'clock. Verdict this instant given: wilful murder against persons unknown.

I have, &c.

Sir William Gosset, K.C.H. *J. Vignoles.*

My dear Colonel, excuse all faults, on account of haste; the post waits for no man.

Sir, Monaghan, 15 July 1833.

HAVING received reports from the constables under my charge in Ennishowen, I have great pleasure in stating, for the information of his Excellency, that every place in that district was in perfect peace and quietness during the entire day of the 12th instant. And I have only heard of the meeting of one Orange lodge, which assembled about nine o'clock in the evening of that day, in the house of Robert Gallagher, of Malin, where they played some tunes, and dispersed in about two hours afterwards, in a peaceable manner.

I have, &c.

Sir William Gosset, &c. &c. &c.

John Irvine, Chief Constable.

Sir, Hillsborough, 15 July 1833.

HAVING now received reports from all the officers of this county of the occurrences of the 12th instant, I have the honour to inform you, that with the exception of Castlewellan, Newry and Downpatrick, I believe there were processions of Orangemen in most of the towns in it on that day. I am happy, however, to add, from what I observed on that occasion, that although the processions were (generally) numerously attended, few of the better class of the people took part in them. I beg to say, that I have not heard of any breach of the peace having been committed requiring notice, except a trifling riot, which occurred

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about eight o'clock on the evening of the 12th at Hall's-mill, near Gilford, between a few Orangemen and some persons returning from a funeral; it was immediately quelled by the police and military stationed there on that day.

I have, &c.

M. Crofton,
Sub-Inspector of Down.

Sir William Gosset, &c. &c. &c.

Sir, Cavan, 15 July 1833.

With reference to my letter of the 13th instant, I have now to acquaint you, for the information of his Excellency the Lord Lieutenant, that during my stay yesterday at Cootehill, I made every possible inquiry into the present state of political feeling in the town and neighbourhood, from which it appears the minds of both parties labour under the greatest possible excitement, dread and distrust, arising from the unfortunate occurrence of the preceding Friday. I thought it, in consequence, my duty to reinforce the party of police already assembled there, by an addition of 12 men, and to suggest the propriety of sending a military force to the town until the proceedings of the inquest now holding, and likely to continue for some days to come, be terminated; indeed, their removal from thence on Saturday was by no means judicious, as many families in the place did not retire to bed during Saturday night, owing to the alarming reports in circulation.

From the depositions hitherto taken, it cannot be satisfactorily ascertained which party commenced the conflict; indeed, as regards the Orangemen, it matters little, for they were acting in direct violation of the laws, and it is to their improper conduct, in entering the town in procession, the deplorable consequences which have ensued are altogether attributable. I think it right to add, that a general belief exists, that wherever Orange processions took place throughout the county on the 12th instant, a re-action on the part of the Roman-catholics will follow, preparations being already (I understand) in progress for similar exhibitions.

I have, &c.

John Macleod,
Sub-Inspector of Police.

Sir William Gosset, &c. &c. &c.

Sir, Hillsborough, 14 July 1833.

I have the honour to inform you, from the letters I received this morning, that in addition to those already reported, there were processions of Orangemen at Clough, Ardmillon and Kilkeel. I am happy to add that there were not any processions on the 12th instant at Downpatrick or Newry, and that no rioting or disturbance occurred at any of the above places. The police have taken down the names of several persons known to them who appeared in the processions.

I have, &c.

M. Crofton,
Sub-Inspector of Down.

Sir William Gosset, &c. &c. &c.

Sir, Dublin Castle, 22 July 1833.

Adverting to your letter of the 13th instant, enclosing a list of persons who are identified as having walked in procession on the preceding day at Garvagh, and also to the report forwarded by you from Chief-constable Dickson of a similar proceeding on the part of the Orangemen, which took place in the hamlet of Innisrush near Maghera, in both of which cases the proclamation to disperse was read, in the former instance by you, and in the latter by Mr. Ellis, the resident magistrate; the Lord Lieutenant caused these several papers to be submitted to the Attorney-general, and his Excellency directs me to convey to you his opinion, that in both these cases there may and should be proceedings taken to have the principal and most active of the parties brought before a magistrate, and convicted summarily. You will therefore cause the necessary measures to be immediately taken for carrying these instructions into effect, so far as the meeting at Garvagh is concerned.

His Excellency thinks it quite essential to show, by the active use of this special power, that the provisions of the Act of the last session to restrain party processions in Ireland can neither be evaded, nor the punishment of persons who violate them delayed; but it is of no small importance that this course be pursued with reference to the instruction of the magistrates, who in many places appear to have been passive spectators of these processions, omitting to perform the duty which the Act prescribed to them, and thereby preventing the possibility of summary inquiry and speedy punishment. They will see what of their own authority could and might have been done, and it is to be hoped that on no similar occasion will instances occur of ignorance or neglect of duty such as are now before the Government.

I have, &c.

William Gosset.

William Crossley, Esq.
Sub-Inspector, Garvagh.

P. S.—Similar instructions to these have been conveyed to Mr. Ellis with respect to the parties who were concerned in the meeting at Innisrush.

W. G.

(C. 5. *a.*)
Orange Processions.

Sir, Garvagh, 13 July 1833.

I HAVE the honour to acquaint you, for the information of his Excellency the Lord Lieutenant, that yesterday about four o'clock I was informed that a large procession of Orangemen were coming into this town from the parish of Aghedarg. I requested Lieutenant Lane, who commanded a detachment of the 47th (promptly and kindly sent here from Derry by Colonel Ebrington), to proceed with me to meet them at the end of the town. I stopped the procession, and demanded of them what they were, and what was their object? One of the four men who was in front replied, "We are a body of Protestants assembled to commemorate this day, as we have always done." I told them I was a magistrate, and that they were acting in a most illegal manner, and that they would be punished. I then read aloud the words from the Act of Parliament, viz. "Our Sovereign Lord the King chargeth and commandeth all persons here assembled immediately to disperse themselves," &c. They did not disperse; and when 15 minutes had expired, I directed the constables to note all the names of those they knew, and who were taking a part in the procession, which consisted of 21 flags, and upwards of 700 men; each flag was followed by a fife and drum, playing party tunes, "The Boyne Water," "Protestant Boys," &c. They walked up and down the town, and then went into the different public-houses, and about six o'clock left the town in peaceable good order. There was scarcely a respectable person amongst them; they were principally composed of servant boys and those employed in bleach-mills. Several shots were fired, but not from the procession. I send herewith a list of the names taken by the police; they may appear few compared with the number assembled; those who suspected they were known by the police did not join in the procession.

May I beg instructions as to what proceedings are to be taken against those who are identified.

I have not yet received the reports from the chief constables, but have reason to believe that there has been no disturbance.

I have, &c.

William Crossley,
Sub-Inspector, Londonderry.

Colonel Sir William Gosset,
&c. &c. &c.

Sir, Killisandra, 13 July 1833.

OWING to the very great exertions made previous to and on the 12th instant, tranquillity was preserved in this town on that day; there was not a procession, but numbers were parading the streets with orange lilies in their hats, one of which was torn out by a Roman-catholic; fortunately one of the sub-constables was on the spot and took both into custody, which prevented a serious affray, as both parties evinced during the day most angry feelings towards each other. There were but few orange scarfs displayed. Mr. James Berry, jun., was the most prominent: he rode into town with one across his body, an orange lily in his hat, &c. At Robert Biggar's (a publican) a stand of colours were hung out of his window, emblematic of King William the Third on horseback; his windows were also decorated with orange devices.

During the night of the 11th, or early on the following morning, an orange arch had been placed over the gateway at the entrance to the glebe-house where the Rev. Henry Martin (the curate) resides. I waited upon him to request he would have it taken down, lest it might lead to disturb the town. He told me it had been done unknown to him; that he understood it was the practice in Mr. Hales's (the former rector) time to erect a similar arch on the anniversary of the 12th; that he was awkwardly situated, and therefore would not order it down; and that I might do as I pleased. From his demeanor, I considered he would rather it was not there, and it being left to my own discretion, I removed it.

His brother, the rector (Mr. John Charles Martin), in some time after came into town and seemed rather displeased at what I had done; he remained at the glebe till about half-past five o'clock, P.M., when he, with Mr. Henry Martin's family, left it, and in a few minutes after their departure another arch similarly decorated was placed over the gate by the petty-session clerk, Mr. Martin's agent, and another (as I am told); this aggravated the Roman-catholic party a good deal, who made application to me to remove it; but not having instructions to that effect, and it being evident it was done by the consent of Mr. Martin, I did not think myself warranted to do so; but by my assuring them (the Roman-catholics) that if those persons who erected the arch had acted illegally they would be prosecuted, I prevailed upon them to be quiet.

I beg leave to add, there was not a magistrate in town; nor do I ever get assistance or support from them (with the exception of Mr. Southwell, when at home); consequently the preservation of the peace of the district under my charge devolved upon me, which often places me in a very unpleasant situation, not being instructed how far, as a chief-constable, I can act, and particularly in this part of the country, where religious animosities are carried to such a length.

I have, &c.

Henry Ross Lewin,
Chief Constable.

Colonel Sir William Gosset,
&c. &c. &c.

(C. 5. *a.*)
Orange Processions.

Cavan, 13 July 1833,
Half-past 10 o'clock, P.M.

Sir,

I REGRET to state, for the information of his Excellency the Lord Lieutenant, that a serious political affray took place yesterday evening in Cootehill between a party of Orangemen, who marched into that town in procession, and a number of Roman-catholics who were assembled there, being a fair day, in which three lives were lost, besides several dangerously wounded; viz., George Cappy, stabbed in the fight; Francis M'Quillan and Phil. M'Eurne, since dead, all Roman-catholics. On receiving a report of the unfortunate occurrence, at 12 o'clock last night, from Chief-constable Sheals, who was with the police of his district on the spot, but whose interference, amongst such a number, was altogether unavailing, I instantly dispatched, on a requisition from the high sheriff, a company of the 64th regiment to the scene of disturbance. I have since been apprised by Mr. Sheals that order has been restored, and that the military are on their return here. An inquest is now going on; and I purpose to-morrow to accompany Mr. Tierney, the town solicitor, to the place, with the view of ascertaining further particulars.

Although partial manifestations of party feelings have evinced themselves throughout other parts of the county on the 12th, they have, I am happy to say, been unattended with bloodshed or actual breach of the peace. Such, however, is to be attributed more to the preparations made, and the precautions taken, than any disposition on the part of the Orangemen to comply with the laws. My attendance this day in charge of a military party at the fair of Ballyhaise (where disturbance was expected from the excitement created by the melancholy business at Cootehill, but which terminated peaceably), prevented my communicating sooner. Since writing the foregoing, I have received the report of the death of another of the Roman-catholic party (William Sullivan), from the wounds he received; making in the aggregate four deaths to the present time.

I have, &c.

Sir William Gosset, K.C.H.,
&c. &c. &c.

John M'Leod,
Sub-Inspector of Police.

Sir,

Arvagh, 13 July 1833.

I HAVE the honour and satisfaction of informing you, that since my preceding report of yesterday no violation of the peace has occurred in this town or neighbourhood. The arrival of Major Bailie, who continued here till nine o'clock, P.M., together with a strong force of military under the command of the Hon. Captain Brown, 64th regiment, and another of police, had considerable effect in preventing the intended procession, but for which (I am strongly impressed with the belief) serious consequences would have arisen.

I deem it right, however, to add, for your further information, that there were two Orange lodges held in the town, from the windows of one a flag was displayed during the day; but Major Bailie was of opinion that the removal of it would rather tend to create excitement than effect any good purpose, and therefore considered it more prudent to allow it to continue undisturbed.

I have, &c.

Lieut.-colonel Sir William Gosset,
&c. &c. &c.

James M'Donagh, Chief Constable.

Sir,

Hillsborough, 13 July 1833.

I HAVE the honour to inform you that there were processions of Orangemen, decorated as usual, and with the usual accompaniments of flags and music, at Saintfield, Ballynahinch, Dromara, Dromore, Maghera, Rathfieland, and in this town, on the 12th instant. I only delay forwarding as particular a return as I can of the places of meeting, numbers, &c. &c., until I receive the remaining reports from the officers. The processions were, unexpectedly, larger than they have been for some years; but the persons composing them were apparently unarmed, and generally very peaceable and well-conducted. Although I have not received reports from all the districts, yet I feel almost certain that nothing of a serious nature occurred in any part of this county yesterday.

I have, &c.

Colonel Sir William Gosset, K.C.H.,
&c. &c. &c.

M. Crofton,
Sub-Inspector of Down.

Sir,

Dungannon, 13 July 1833.

I HAVE the honour to state for the Lord Lieutenant's information, that on the 12th inst. several processions of Orangemen took place in this district, but no iot or disturbance occurred.

As a considerable number of the persons composing the same can be identified by the constabulary under my command, may I beg to be informed as to the steps I am to take against them?

For his Excellency's further information, I have the honour to enclose a correct return of the procession alluded to.

I have, &c.

Colonel Sir William Gosset, K. C. H.
&c. &c. &c.

David Duff, Chief Constable.

RETURN of ORANGE PROCESSIONS in the *Dungannon* District, on the 12th July 1833, County of *Tyrone*. (C. 5 *a.*) Orange Processions.

Number of Processions.	Place of Appearing.	Number of Men in each.	Number of Flags.	Total Number in Processions.	Stand of Arms.	Number of Men Identified.
7	Dungannon - -	30	8	240	2	18
1	Caledon - -	40	2	40	- -	22
1	Moy - - -	3,000	24	3,000	1	20
1	Stewartstown -	700	10	700	- -	15
1	Cookstown - -	2,600	9	2,600	- -	21
1	Coagh - -	40	1	40	- -	2
12	- - - - -	- -	54	6,620	3	98

N. B.—In the above processions there was only one person that could be ranked as a gentleman that attended, and he a person of not more than 15 years of age.

David Duff,
Chief Constable, Dungannon District.

Sir, Strabane, 13 July 1833.

I BEG leave to inform you, for the information of his Excellency the Lord Lieutenant, that in this district the 12th July passed without any disturbance. In Strabane and Castle Dug, no kind of procession; in Newtown Stewart, the masters of the different lodges and the respectable inhabitants did not walk, but a party with three stand of flags (strangers) marched through the town quietly; they were composed of a very inferior description of people, boys and girls. An Orange arch was put up in the night across one of the streets. In Donamana, a party similar to those in Newtown Stewart (mostly also strangers) marched through towards the county Derry; but neither the masters of the lodges nor an inhabitant were among them. In Gorten there was a procession of four bodies, with flags, fifes and drums, 17 of whom are known; all were unarmed, and no breach of the peace occurred.

I have, &c.

Sir William Gosset, &c. &c. &c. *John S. Duluzean*, C. C. Police.

Sir, Castle Saunderson, Belturbet, 9 June 1832.

I HAVE just received the enclosed letter from Dr. Browne, the Roman-catholic bishop, who lives at Cootehill (a clergyman who feels as great an interest in the peace of our county as any man in it). I forward the letter to you for the information of his Excellency, and have written to Dr. Browne to say that, until I received his letter, I was in hopes that no procession would take place, as I understood that the upper classes of Orangemen had done everything in their power to prevent it. I have written also to the Marquis of Headfort, and have requested Dr. Browne to communicate to his Lordship where any such procession is likely to take place.

Our assizes commence upon the 12th inst., and the principal magistrates of the county must attend upon that day. On that account, and also because, perhaps, our resident magistrates may not have so much influence or effect with either the Orangemen or their opponents, and in obliging the constabulary and the chiefs to do their duty, as a magistrate sent from Government, I venture to suggest that it might be prudent to send some gentleman down to go to whatever point might be necessary.

I write in great haste, and am, &c.

Sir William Gosset, &c. &c. &c. *Alexander Saunderson.*

Dear Sir, Cootehill, 8 July 1833.

I UNDERSTAND from many reports that we are to have the usual Orange procession on the 12th. I regret it extremely, as it will most certainly destroy all the fruits of our hard and successful labours to put down amongst our people a similar party feeling. If the authority of the law be not effectually supported on the present occasion, we never again

(C. 5 a.)
Orange Processions.

can say a word on the evils of party feuds and animosities. The probable results, too, of the next Orange procession (should it be allowed) appear to me to be so alarming, that I could not but make known to you my apprehensions, and hope you will excuse the liberty I have taken.

I have, &c.

Alexander Saunderson, Esq. *James Browne.*
&c. &c.

Sir, Dublin Castle, 11 July 1833.

I LOST no time in submitting to the Lord Lieutenant your letter of the 9th inst., and its accompanying communication from Dr. Browne, Roman-catholic bishop, respecting the Orange processions which usually take place on the 12th of this month. His Excellency desires me to inform you that we have no paid magistrates for the county of Cavan; and even if a person was selected especially for that service, the commission of the peace could not be made out in time.

The constabulary have had orders to mark well every person who takes a part in the procession, and to furnish the names to the Government. I fear nothing more under the circumstances can be done.

I have, &c.

Alex. Saunderson, Esq., Belturbet. *W. Gosset.*

Sir, Enniskillen, half-past 4 o'clock, P.M., 12 July 1833.

AFTER finding every thing quiet in my district, I came in here, where I find there is a great display of Orangemen, flags, drums, fifes, &c. I find that there were 22 flags paraded at one time this day in the Fair Green, besides many more in different parts of the town. There appears to have been no remonstrance, on the part of the civil authorities, to prevent this meeting; however, I am in hopes all will end without a breach of the peace, as the lodges seem to be leaving the town. There has been several bodies of them walking in line this day, also, but I have not heard of a breach of the peace. I will be able, by next post, to give you a more complete detail of the proceedings.

I am, &c.

Sir William Gosset, &c. &c. &c. *John Joyce*, Sub-Inspector.
Dublin Castle.

Sir, Armagh, 12 July 1833.

I HAVE the honour to report, for the information of his Excellency the Lord Lieutenant, that up to this hour, (four o'clock,) this town and neighbourhood has been perfectly tranquil. No procession has taken place, nor is it all likely, although a number of Orangemen are in attendance.

Major Bailie, a magistrate, has been here from an early hour, and still remains in order to act, should there be necessity so to do; but I have every reason to hope (from present appearances) that the day will terminate peaceably.

Should any violation of the peace occur during the remaining part of the evening, I shall lose no time in reporting the particulars.

I have, &c.

Lieut-Col. Sir William Gosset, (signed) *James M'Donough,*
&c. &c. &c. Chief Constable.

Sir, Newry, 12 July 1833.

I BEG leave to state for the information of his Excellency the Lord Lieutenant, that there has been no procession in this town to-day. The Orangemen erected an arch across High-street this morning, which I removed, as also some Orange emblems, which they put up in North-street. The town has been perfectly quiet, with the exception of some shots they are firing occasionally, up to this hour, 10 o'clock, P. M.

I have, &c.

Sir William Gosset, &c. &c. &c. (signed) *William Waters*, C. C.

Sir, Ballymena, 15 July 1833.

I HAVE the honour herewith to enclose for his Excellency the Lord Lieutenant's information, a return of the names of persons who walked in procession as Orangemen on the 12th instant, at Ballymoney, Glenarm, Antrim and Belfast, with a letter from chief constable Kennet, stationed at the latter place; as also, copies of communications received from chief constables Ross, Wright, Cony and M'Donogh, giving a detail of assemblages which took place in their several districts on that day.

I have, &c.

Lieut-Col. Sir William Gosset, K. C. H. (signed) *John Clarke,*
&c. &c. &c. Sub-Inspector, County of Antrim.

(C. 5 *a*.)
Orange Processions.

Sir, Belfast, 14 July 1833.

I HAVE to acquaint you, for the information of his Excellency the Lord Lieutenant, that the magistrates of this town, attended by the constabulary, were on the alert at an early hour on the morning of the 12th instant, and about nine o'clock, five Orange lodges, with colours and music, proceeded to Newtown Ards, in the county of Down, and two to Lisburn. Every thing from that period remained quiet, but from an expected disturbance on the return of the Orange processions, the 80th regiment was kept in readiness in their barracks; and I was directed to station a mounted policeman in Dundonnel, four miles distant, to communicate the hour of the parties return, which was about five o'clock in the afternoon; at which time the military and police were stationed in three divisions, in different parts of Belfast, with all the magistrates, from which patrols were constantly sent through the various streets. On the arrival of the processions, ten persons mentioned in the annexed list, were identified by constable James Campbell, and sub-constable James Magan, and their names noted. The Orange lodges immediately went to their rooms, and the crowds which had assembled to meet them gradually dispersed without any riot or disturbance, and in the course of the evening the military were sent to their barracks.

In Lisburn 26 Orange lodges walked in procession through the different parts of that town, with music and colours, and after spending the day quietly, returned to their respective homes without any disturbance whatever. Eight persons, as per annexed list, were identified by constable James Donaldson, as forming part of the procession.

In Crumlin, the several masters of Orange lodges in that neighbourhood came to the determination of assembling in their respective lodge-rooms, and not to walk in procession, and the day passed off quietly

I am happy to add, I have not heard of any disturbance in any part of my district.

I have, &c.

(signed) *Charles L. Kennett*, Chief Constable.

John Clarke, Esq., Sub-Inspector.

NAMES of Persons who formed part of the ORANGE PROCESSIONS in *Belfast* and *Lisburn*, on the 12th July 1833.

BELFAST.			LISBURN.		
No.	NAMES.	By whom known.	No.	NAMES.	By whom known.
1	And. M'Gowan		1	John Dixon -	
2	Tho. Saunders -		2	Robert Dixon -	
3	John Smith -		3	Joseph Lynn -	
4	Geo. Reynolds -	- - Constable	4	John Reaney -	- - Constable
5	— Campbell -	Jas. Campbell.	5	George Smith -	J. Donaldson.
6	— Carry -		6	James Lackey -	
7	H. Patterson -		7	James Fear -	
8	— Petticrew -		8	Robert Scott -	
9	— Johnston -	- Sub-Constable			
10	— M'Millan -	James Magan.			

Sir, Glenarm, 13 July 1833.

I HAVE to acquaint you that an assemblage of Orangemen, consisting of 23 persons belonging to Glenarm and neighbourhood, passed through this town yesterday, with flag, music, &c., on their way to Kilwaghter, a distance of eight miles, to join a large procession of the same party who had there assembled, in number amounting, I understand, to 12 lodges. A sermon was preached them by a Mr. Charmichal, of the Presbyterian persuasion, after which they separated for their respective places. I have not heard of any disturbance whatever in consequence.

I am, &c.

John Clarke, Esq., Sub-Inspector. (signed) *James Ross*,
Chief Constable Police.

Sir, Antrim, 13 July 1833.

I BEG leave to report that about 150 Orangemen marched in procession through this town yesterday, and proceeded to Parkgate, where they were joined by about 900 more. In Kells likewise there was a procession of Orangemen, amounting to about 100; and also another party of Orangemen, amounting to about 400, marched in like manner through Staffordstown and Randalstown; they had music and colours: they met with no opposition, conducted themselves in a sober and peaceable manner, and retired at an early hour in the evening.

I am, &c.

John Clarke, Esq., Sub-Inspector. (signed) *John Wright*,
Chief Constable Police.

(C. 5. *a.*)
Orange Processions.

Sir, Ballymoney, 13 July 1833.

YESTERDAY being the 12th, twenty-three lodges of Orangemen assembled in this town, with flags and music; after going in procession for some time, they retired to their respective lodge-rooms, and in the evening, after again walking through the town, quietly dispersed.

There was no riot or disturbance; and from personal observation, I am satisfied that there must have been about 3,000 men. Some of them had pistols, which they fired at intervals; but I saw no guns.

I am, &c.

John Clarke, Esq., Sub-Inspector. (signed) *Somerset Corry,*
Chief Constable Police.

Sir, Killydonnelly, 13 July 1833.

THE Orangemen of this district marched in procession to Cloughmills yesterday, where I am informed the members of nine lodges assembled; and as the police were withdrawn from their stations, it is impossible for me to send the rank and names of the persons concerned.

The members of three lodges made their appearance at Portglenone about three o'clock, and after some remonstrance returned quietly to their homes; a report of which Mr. Jones and I have forwarded to Government.

I am, &c.

John Clarke, Esq., Sub-Inspector. (signed) *Nicholas M'Donagh,*
Chief Constable Police.

A RETURN of the Names of Persons who walked in Processions of ORANGEMEN, at the undermentioned places in the County of *Cavan,* on the 12th July 1833.

Ballymoney:

William Doherty
John Adams
Robert D'Ell
John Anderson
William Kennedy
John M'Auley
William Smith
David Pattison
Francis M'Arthur
James Arthurs
John M'Cule
John M'Quilean
John Erwin
Andrew M'Farlin
George M'Farlin
Alexander Henry
Patrick Reed
William Tueed
John M'Coy
Hugh Cunningham
Andrew M'Ilroy
Thomas Wade
John M'Kendry
James Bottick
William Henry
Daniel Murphy
Thomas Campbell
Archibald M'Collum
John Borland
James Gregg
James Richey
Andrew Adams
Daniel Adams
Alexander Johnson
Joseph Richardson
William Scoful
John M'Bride
John Lavin
Andrew M'Ilphry
Thomas M'Murry
Robert Montgomery
Peter Guttridge
William Train
James M'Wade
Robert Borland
John Boyland
George M'Cloy
John M'Connell
Davis M'Crevin
James Harvey
James Duncan
Archibald Craig

Glenarm:

Henry Boyd, Master
Archibald Brown
Patrick Boyd
William M'Coy
Archibald Hill
Alexander Cosch
Robert M'Fetridge
Robert M'Kinly
Hugh Reany
Arthur M'Kinley
Henry Boyd
William M'Coy
William Linsday
Charles Crawford
Holmes Crawford
David M'Vey
Robert M'Fetridge

Antrim:

William Lowrey
Robert Troop
John Ross
William Andrew
James Hamill
Andrew M'Guffick
Andrew M'Quilly
James Agnew
Samuel Agnew
John M'Cloud
James Marquis
John Mullen
William Meek
John Baxter
George Jelly
Robert Boyle
David Gray
Henry Jelly
Christopher Cochran
Christopher Woods
Henry Grant
David Brown
John M'Lannon
Richard O'Neill
John Walue
William Steen
Hugh Fegan
Thomas Fegan
William Baird
David M'Cracken
John West
John Thompson
Siles M'Neely
James Laughlin
Robert Lee
James Young
David Dunseeth
John Hogg
Hugh M'Garvey
Michael Troy

Belfast:

Andrew M'Gowan
Thomas Sanders
John Smith
George Reynolds
—— Campbell
—— Cany
H. Patterson
—— Petticrew
—— Johnston
—— M'Millan

Lisburn:

John Dixon
Robert Dixon
Joseph Lysen
John Reany
George Smith
James Lackey
James Tear
Robert Scott

John Clarke, Sub-Inspector,
County of Antrim.

Ballymena, 15th July 1833.

Appendix (C. 5 *b.*)

PROCLAMATIONS and LETTERS to MAGISTRATES, and INSTRUCTIONS to the POLICE, and to the MILITARY, issued by the Lord Lieutenant or the Secretary, relative to the 12th July 1829, 1830, 1831, 1832 and 1833.

(C. 5 *b.*) Orange Processions.

LETTER to Sub-Inspectors of Police and Chief Constables, &c. respecting Orange Processions.

Sir, Dublin Castle, 17th July 1833.

IT appearing by your report of the instant, that a meeting or procession took place at on the instant, of the description specified in the late Act for restraining party processions in Ireland.

I am directed to request, that you will forthwith take the necessary steps for procuring sworn informations detailing the particulars of the transaction,—the conduct of those assembled,—the party symbols (if any) exhibited,—and the names of such persons as can be identified as having been engaged, so that means may be afforded of prosecuting such as shall appear to have incurred the penalties of the law. I am, &c.

(signed) *W. Gosset.*

Letters to M. Crofton, relative to Processions at Banbridge.

C. Atkinson	ditto	N. T. Limavady.
W. Crossley	ditto	Garvagh.
E. A. Douglass	ditto	Aughnacloy.
G. Wade	ditto	Omagh.
J. Joyce	ditto	Rosslea.
R. Hill	ditto	Clones.
J. Clarke	ditto	Ballymena.
M. M'Causland	ditto	N. T. Limavady.
J. Joyce	ditto	Enniskillen.
J. Saunderson	ditto	Rathfriland.
W. Henry	ditto	N. T. Hamilton.

CIRCULAR to Brigade Majors of Yeomanry, relating to Party Processions.

Sir, Dublin Castle, 24th June 1829.

REFERRING to the circular communication addressed to the Brigade Major of Yeomanry, dated the 8th July 1822 and 6th July 1825, prohibiting the assembly of yeomanry corps on the 12th July for inspection, and the members thereof from joining in procession, I have received the Lord Lieutenant's directions to desire that you will intimate the purport of the communications in question to the respective officers commanding those corps in your district, and at the same time express to them his Grace's commands, that every means will be used on their parts to ensure a strict observance of the injunctions thereby prescribed.

I have, &c.

(signed) *W. Gregory.*

CIRCULAR LETTER to Brigade Majors of Yeomanry, relative to Party Processions.

Sir, Dublin Castle, 4th July 1831.

IT being particularly desirable that every means should be used with the view of giving full effect to the instructions heretofore conveyed to the members of the yeomanry, prohibiting their assembly on the 12th July for inspection, or for the purpose of joining in processions or playing party tunes, the Lord Lieutenant has directed me to signify his special desire that the necesssary measures may be taken by you on communication with the officers commanding the several corps of yeomanry in your district, prohibiting the members under their command from appearing or co-operating in any way, or in any garb, in the expected processions of Orangemen on the ensuing 12th of this month; his Grace further desires me to express his full expectation that you will not fail to report to government any deviation from those orders, so as that the most serious notice may be taken of such conduct on the part of the yeomanry, which must so materially tend to disturb the public tranquillity. You are requested to acknowledge the receipt of this communication, and at the same time to report the proceedings adopted by you thereupon.

Brigade Major Semple, &c. &c. &c.

I have, &c.

(signed) *W. Gosset.*

Like letters to Brigade Majors Power, Scott and Gahan.

(C. 5 *b.*)
Orange Processions.

Circular to Police Magistrates, Sub-Inspectors, &c. respecting Party Processions.

Sir, Dublin Castle, 28th June 1833.

The Lord Lieuteuant entertains a confident hope that there will be no recurrence on the approaching 12th July, of these assemblies which have proved so destructive of the peace of the country, and so inconsistent with its real interests.

His Excellency directs me to say, that should he be disappointed in that hope by the continuance of a custom not only mischievous in its effects but in violation of the law, the utmost aid of the government will be afforded for the suppression of such assemblies.

The constabulary under your command should be directed to be most vigilant on the day in question, and to note the persons taking a part in such illegal assemblies, and what is said and done, with a view to the prosecution of the offenders.

This caution applies not only to the 12th July, but to all other periods on which the demonstration of political or religious feelings may by any party be attempted.

I am, &c.

(signed) *W. Gosset.*

Forwarded to the several police magistrates, sub-inspectors and chief constables.

Circular Letter to Brigade Majors of Yeomanry, respecting Orange Processions.

Sir, Dublin Castle, 6th July 1830.

It being particularly desired that every means should be used with the view of giving full effect to the instructions heretofore conveyed to the members of the yeomanry, prohibiting their assembly on the 12th of July, for inspection, or for the purpose of joining in processions, or playing party tunes, the Lord Lieutenant has directed me to signify his special desire, that the necessary measures may be forthwith adopted by you on communicating with the officers commanding the several corps of yeomanry in your district, in prohibiting the members under their command from appearing, or co-operating in any way or in any garb, in the expected processions of Orangemen on the ensuing 12th of this month. His Grace further desires me to express his full expectation, that you will not fail to report to government any deviation from these orders, so as that the most serious notice may be taken of such conduct on the part of the yeomanry, which must so materially tend to disturb the public tranquillity. You are requested to acknowledge the receipt of this communication, and at the same time to report the proceedings adopted by you thereupon.

I have, &c.

Brigade Major Hamilton. (signed) *W. Gregory.*

The foregoing letter was confined to

Brigade Major Hamilton,			counties of Antrim, Armagh and Down.
Gahan	-	ditto	Donegal and Londonderry.
Scott	-	ditto	Fermanagh, Monaghan and Tyrone.
Semple	-	ditto	Cavan, Leitrim, Longford and Roscommon.

Circular to Magistrates, &c. respecting Party Processions.

Sir, Dublin Castle, 9th July 1832.

The approach of the 12th of July, and the probable recurrence on that day of those party processions, by which so much mischief has been repeatedly occasioned, have induced his Excellency the Lord Lieutenant to desire me to direct your attention to the proclamation of the Duke of Northumberland, issued by his Grace on the 18th July 1829, and which his Excellency caused to be re-published on the 4th July 1831. The terms of that proclamation are quite sufficient to point out the duty of all His Majesty's subjects, on such occasions and events as are therein specified; but his Excellency would impress upon the minds of all persons holding authority under His Majesty's Government, the indispensable duty of conforming to its injunctions, and point out, in an especial manner, to the magistracy the impossibility of reconciling any violation of them with the due or faithful observance and fulfilment of their official obligations. I am, Sir, &c.

(signed) *William Gosset.*

Circular to Lieutenants of Counties, enclosing Letters respecting Orange Processions.

Sir William Gosset presents his compliments to the Marquis of Donegal, and has the honour to inclose for his Lordship's information, a copy of a circular communication, dated the 28th ultimo, which the Lord Lieutenant caused to be addressed to the constabulary officers in the Ulster district, connected with party processions.

Dublin Castle, 3d July 1833.

Forwarded to the Lieutenant of the Counties of Antrim, Armagh, Cavan, Donegal, Down, Fermanagh, Londonderry, Monaghan and Tyrone.

Circular

(C. 5 *b.*) Orange Processions.

Circular to Lieutenants and Deputy Lieutenants of Counties, respecting Party Processions.

Dublin Castle, 23d June 1834.

Although the Lord Lieutenant has every reason to entertain a confident expectation that no violation of the law will be attempted on the approaching 1st and 12th of July, by a recurrence of those party processions which have been so destructive of the peace of the country, and of the harmony which should exist between all classes of His Majesty's subjects; yet his Excellency feels it his duty, upon a subject so intimately connected with the welfare of the country, to convey the expression of his ardent hope and earnest desire, that there will be, not only on those days, but on all others, a total cessation of all party and illegal assemblies.

Should any indication lead to the belief that processions are contemplated in your district, his Excellency feels assured that you and the other authorities will use all the influence you possess to dissuade the people from a proceeding so improper and so dangerous to themselves.

If, notwithstanding your endeavours, such assemblies take place, it will be your duty promptly to cause their dispersion, and to mark the offenders, in order that they may be brought to justice; for it is his Excellency's firm determination to suppress all such manifestations, by the enforcement of the law.

I have, &c.

(sgned) *W. Gosset.*

From Sir *William Gosset* to Major-General *Macdonnell*, respecting Orange Processions.

Sir, Dublin Castle, 8th July 1833.

I have the honour, by direction of the Lord Lieutenant, to transmit to you herewith a copy of a circular letter which has been addressed to the sub-inspectors of police, relative to the measures to be adopted on the 12th instant in the event of Orange processions taking place, and I annex a memorandum of the places at which it is understood that assemblies are to take place on that occasion.

I have, &c.

(signed) *William Gosset.*

P.S.—I think it best to send you some of the reports which we have received of expected meetings on the 12th July, which you will have the goodness to return to me at your convenience.

W. G.

Appendix (C. 5 *c.*)

(C. 5 *c.*)

Letter from the Earl of *Caledon* to Sir *William Gosset*, dated 8th August 1833, relative to Processions at Beragh and Six Mile Cross.

Sir, London, 8th August 1833.

Previous to the receipt of your letter of the 23d July I had not heard of any procession of Orangemen in the county of Tyrone, except in the barony of Dungannon, where they met in considerable numbers, but committed no disturbance.

Upon receiving your instructions I immediately directed Mr. Wade, who is chief of the constabulary force, to call upon the officers under his command to furnish me with the names of such magistrates as they conceive did not act in conformity to the provisions of the 2d & 3d William 4th, that I might be enabled to require from them an explanation of their conduct.

In reply to this letter I have received a report from Mr. Wade to the effect that there was no procession of Orangemen in the barony of Omagh except at Beragh and Six Mile Cross; that he directed Mr. Kelly of the police to attend there on the 12th July, when he identified 50 individuals, and that an inquiry was instituted at petty sessions, but postponed until 14th instant, as but few magistrates attended the former meeting.

Mr. Wade then observes that Beragh and Six Mile Cross were selected as being places the most remote from any resident gentry, and the only magistrates in the neighbourhood are the resident clergy.

Mr. Decluzean who is in charge of the barony of Strabane, reports that neither in the town of Strabane nor in Castle Derg were there any processions; that in Gortin, where they did appear, Mr. A. Cole Hamilton was absent in Dublin; that in Donemana the party was composed of boys and girls (strangers); and that in Newtown Stewart, where an arch was put across the street on the night of the 11th, no persons of the town joined the procession, which (composed of strangers) marched through and dispersed. He adds, that the processions were of so poor and mean a description, he thought it unnecessary to report them.

You will observe that neither of these officers report to me the names of any magistrates, and I am therefore at a loss upon whom to call in either of these baronies for an explanation of their conduct.

I have still to receive the reports of the officers at Clogher and Dungannon, and upon receipt of them I shall again have the honour of addressing you.

I have, &c.

(signed) *Caledon.*

(C. 6 *a.*) Orange Processions.

Appendix (C. 6 *a.*)

REPORTS made by MAGISTRATES, POLICE AUTHORITIES, &c., relating to the celebration of 12th July 1834.

From Sub-Inspector *Macleod* to Sir *William Gosset.*

Sir, Cootehill, 13th July 1834.

I HAVE to acquaint you, for the information of his Excellency the Lord Lieutenant, that yesterday, the 12th July, passed off here with the utmost tranquillity, without any political demonstration whatever. The various reports in circulation relative to the intentions of the Orangemen induced me to come here on Friday night, reinforcing the military by 50 additional men from Cavan. These precautions had the effect of changing the plans of the Orange party, and the members of the several lodges, I understand, proceeded at an early hour to the county of Monaghan, where, I am told, they had processions on an extensive scale.

Previous to my leaving Caven, the information, of which a copy is herewith transmitted, was tendered at the office of the crown solicitor; and, with the view of ascertaining whether there was any foundation for the statement made, I rode from this to the spot mentioned, and some miles beyond it, about three o'clock P. M., but there was not the slightest appearance of gatherings of persons of either description. Just setting off for Cavan, and will not close this letter until near mail hour, in the hopes of being able to give information from other quarters of the county.

Cavan, half past seven o'clock.—It does not appear that party processions have been general through the county. Some exhibitions have certainly been made, but such have been insignificant in point of numbers and respectability, confined to the country, and I believe unattended with any untoward consequences.

I have, &c.

(signed) *John Macleod,*
Sub-Inspector of Police.

County of Cavan, to wit. } The information of Patrick Brady, of Newbridge, labourer, taken before me, John Macleod, esq., one of His Majesty's justices of the peace in and for said county, who came before me this day, and maketh oath and saith, That he has been informed and verily believes that there is intended to be a great number to-morrow near Cootehill; that the Orangemen were to march in procession to the spot where Mills was murdered last year, and who were to cheer or perform some ceremony there; that it is the intention of the Roman Catholic party to lie in wait behind the ditches near the place, and when the Orangemen come up, to fire on them. Informant saith, that there were to be 1,100 or 1,200 Roman Catholics to be collected from the counties of Louth and Monaghan with fire-arms, and that a great part of them were to be placed behind the ditches near the place where Mills was murdered; saith, that said party, as he verily believes, are to assemble about 12 o'clock this night at said place; saith, he verily believes and considers that great danger is to be apprehended from a collision taking place, should the Roman Catholics and the Orangemen meet, and there must be much bloodshed and murder committed unless steps are taken by the proper authorities to prevent such meeting.

Sworn before me this 11th day of July 1834. (signed) *John Macleod.*

his
Patrick + Brady.
mark.

From *John H. Houston* to Sir *William Gosset.*

Sir, Orangefield, Belfast, 14th July 1834.

IN consequence of your circular letter of the 23d of June, expressing his Excellency the Lord Lieutenant's desire that lieutenants, and deputy-lieutenants, and other authorities, would use their influence to dissuade all persons from joining in party processions on the 12th instant;—

Having heard that several Orange lodges intended to parade on the road from Belfast to Newtownards on that day, I thought it my duty, (particularly as the other two magistrates residing in this immediate neighbourhood are at present absent,) to meet the lodges at the houses in which they assemble, and endeavour to prevent them from marching with flags, drums, &c.

Although they declined taking my advice, and did march some miles along the roads in procession, I had the pleasure to observe they behaved peaceably and soberly, nor did any disturbance or accident occur during the day.

There was not any procession of an opposite party.

The master of one lodge, No. 688, at my request, laid aside the insignia of office, and refused to march with the members.

There are four police constables stationed in Ballymacarret, one of whom (Sergeant Armstrong) I directed to set down the names of such persons as he could identify in the procession.

He

(C. 6 *a.*) Orange Processions.

He gave me the names of 10, and also returned the same to his chief, who I presume will transmit them to Government.

It would tend much to prevent processions if those publicans in whose houses the members of lodges or other political parties meet could be in consequence thereof deprived of their licences.

I have, &c.

(signed) *John H. Houston.*

From Sir *William Gosset* to *J. H. Houston*, Esq.

Sir, Dublin Castle, 19th July 1833.

Having intrusted to the Lord Lieutenant your letter of the 14th instant, reporting the proceedings of several Orange processions in the neighbourhood of Belfast, I am commanded by his Excellency to thank you for your communication, and to acquaint you that the Attorney-General, whom he consulted on the subject, is of opinion that the persons who have taken a part in the processions must be made amenable to be tried at the next assizes, and that the magistrates should endeavour to select the leaders and most active of the parties; and if it be possible in any instance to select and identify persons who have been before indicted and let off on nominal punishment, the Attorney-General should wish to have them brought forward, and the fact of their previous violation of the law stated as a special reason for proceeding against them to the full extent which the law warrants.

I have, &c.

(signed) *William Gosset.*

From *Thomas Lucas*, Esq. to Sir *William Gosset.*

Sir, Balibay, August 24, 1834.

In answer to your letter of the 19th instant, directed to the magistrates at petty sessions, Balibay, I have the honour to inclose a copy of the examination, referring to the transaction your letter relates to, and also the memorial that accompanied it, as the most effectual information I can afford you. I beg further to add, that although the procession did take place, no riot whatever occurred, the names were taken down by the police by my orders, and the examination taken by Mr. Jones and myself after.

I have, &c.

(signed) *Thomas Lucas.*

County of Monaghan } The examination of sub-constable James M'Entee, of Ballibay,
to wit. } in the said county, taken before us, John Gore Jones and Thomas Lucas, esquires, two magistrates for said county, this 7th day of August 1834. The examinant having been duly sworn on oath, Saith, That in the town of Ballibay, on the 12th day of July last, David Gilmer, William Bannon, William Miller, Arthur Kernan, Samuel Beattie, John Miller, Joseph Graham, and George Graham, marched and took part in an Orange procession, in the town of Ballibay aforesaid, with flags, music and arms, in and through said town, on said day, being contrary to the statute in that case made and provided.

Taken, sworn and acknowledged before us, the day and year first above written; and examinant to prosecute at the next general assizes to be held at Monaghan, in and for the said county.

James M'Entee. *John Gore Jones.* *Thomas Lucas.*

County of Monaghan } The examination of sub-constable John Rogers, of Ballibay, in said
to wit. } county, taken before us John G. Jones and Thomas Lucas, esquires, two magistrates for said county, this 7th day of August 1834. The said examinant having been duly sworn on oath, Saith, That in the town of Ballibay, on the 12th day of July last, Robert Hamilton marched and took part in an Orange procession, in and through said town, with flags, music and arms, contrary to the statute in that case made and provided.

Taken, sworn and examined before us, the day and year first above written, and examinant to prosecute at the next general assizes to be held at Monaghan, in and for the said county, or when called.

John Rogers. *John Gore Jones.* *Thomas Lucas.*

County of Monaghan } The examination of sub-constable John M'Mahon, of Ballibay, in
to wit. } said county, taken before us John Gore Jones and Thomas Lucas, esquires, two magistrates for said county, this 7th day of August 1834. The said examinant having been duly sworn on oath, Saith, That in the town of Ballibay, on the 12th day of July last, William Keane, of Ballibay, in said county, marched and took part in an Orange procession, with flags, music and arms, through said town, said procession being contrary to the statute in that case made and provided.

(C. 6.*a.*) Orange Processions.

Taken, sworn and examined before us, the day and year first above written, and examinant to prosecute at the next general assizes, to be held at Monaghan, in and for the said county, or when called on.

John M'Mahon. *John Gore Jones.* *Thomas Lucas.*

County of Monaghan, to wit. } The examination of Robert Irvine, of Ballibay, in said county, constable of police, taken before us, John Gore Jones and Thomas Lucas, esquires, two magistrates for said county, this 7th day of August 1834. The examinant having been duly sworn on oath, Saith, That in the town of Ballibay, on Saturday the 12th day of July last, examinant saw John Graham, James Gray, Joseph Elliott, William Rowland, Robert Bradford, Robert Shannon, John Leslie, John Henery, Joseph Davison, John Jebb, William Gilmer, James M'Bride, James Gault, John Gault, and Robert Eakins, march and take part in an Orange procession, with flags, music and arms, in and through the said town of Ballibay, on the said 12th day of July, said procession being contrary to the statute in that case made and provided.

Taken, sworn and examined before us, the day and year first above written, and examinant to prosecute at the next general assizes to be held at Monaghan, in and for the said county, or when called on.

Robert Irvine. *Thomas Lucas.*

From Sir *William Gosset* to *Thomas Lucas*, Esq.

Sir, Dublin Castle, 28 August 1834.

I AM directed to acknowledge the receipt of your letter of the 24th instant, transmitting in reference to mine of the 19th, copies of the examinations of the police, taken against certain persons who were in a procession of Orangemen at Ballibay, on the 12th ultimo, and I beg in reply to state, that these cases should be sent for trial to the assizes.

I have, &c.

(signed) *William Gosset.*

From Sir *William Gosset* to the Earl of *Gosford.*

My dear Lord, Dublin, 4 August 1834.

THE Lord Lieutenant has directed me to thank you for the perusal of the inclosed. It is very satisfactory to his Excellency to find that the magistrates have been enabled to have some of the violators of the procession law identified and returned for trial at the assizes.

Believe me, &c.

(signed) *William Gosset.*

From Sir *John Harvey* to Sir *William Gosset.*

Sir, Dublin, 2 August 1834.

I HAVE the honour to forward a report which has been transmitted to me by sub-inspector Wray, from chief constable Foott, of some slight manifestation of party feeling having been evinced at a place called Raheenabrogue, near Ballyroan, on the 12th July. The occurrence excited so little notice that the police stationed at Ballyroan, only one mile distant, never heard of it.

I have, &c.

(signed) *J. Harvey.*

From Chief Constable *Foott* to Sub-inspector *Wray.*

Sir, Abbeyleix, 31 July 1834.

HAVING heard by accident yesterday, that a slight manifestation of party feeling was exercised at Raheenabrogue near Ballyroan, in the barony of Cullinagh and P. T. Abbeyleix, on the evening of the 12th instant, I have the honour to acquaint you, that I made strict inquiry with respect to it, and have been informed, that on the evening in question a few Protestants, named Case and Claxton, but I believe not of that class designated Orangemen, kindled a fire on Thomas Case's land, and near the public road, about 3 o'clock, P.M. and proceeded from thence to where the Protestant curate, Mr. Hazlewood, resides, about half a mile distant, and fired some shots, after which they returned and remained until about 8 o'clock P.M., and then quietly dispersed. I cannot discover that any badges or other party emblems were worn on the occasion, and it is said that two or three Roman Catholics were present. The occurrence caused such little excitement, that the Ballyroan police detachment, only a mile distant, never heard of it, but it is now said that, if such a thing was expected, that a serious rencontre would have been the consequence.

I have, &c.

(signed) *W. Foott*, Chief Constable.

From

(C. 6 a.) Orange Processions.

From Sir *F. Stovin* to Sir *William Gosset.*

Sir, Dungannon, 31 July 1834.

Having made inquiry into the statement contained in Mr. Boyd's letter (returned), I find that there was not any procession at Dromaw on the 12th instant, and am of opinion that the suggestion of that gentleman should be attended to.

I have, &c.

(signed) *Fred. Stovin.*

From Chief Constable *Giveen* to Sir *William Gosset.*

Sir, Belfast, 30 July 1834.

I have the honour to state to you for the information of his Excellency the Lord Lieutenant, that I attended at petty sessions held in Lisburn, on yesterday; and in consequence of your communication to me of the 26th instant, 23 of the Orangemen identified in procession in that town on the 12th instant, were bound to take their trial at the next assizes; seven have not yet been made amenable, but it is intended that they will at the next petty sessions.

On inquiry it would be found that the proceeding which took place at Lisburn in this case, on the 22d instant, was of a very improper nature.

The attorney on part of the Orangemen, appeared at the petty sessions yesterday, and required the magistrates there to inform him, what were the directions, and through whom they came, that caused them to return the informations to the assizes; these magistrates complied with his demand. I also take the liberty of stating, that a false publication has been put forward in the Guardian newspaper, respecting the proceedings at Lisburn on the 22d instant, calculated to injure me.

I have, &c.

(signed) *Fielding Giveen,*
Chief Constable of Police, Belfast district.

From Sir *F. Stovin* to Sir *William Gosset.*

Sir, Dungannon, 29 July 1834.

On receipt of your letter of the 26th instant, with the representation of Mr. Martin, clerk of the Crown, I proceeded forthwith to Newtown Limavady, and having assembled upwards of 40 police during the night of the 27th in that town, early on the morning of the 28th warrants against nine of the Orangemen were executed, and they were forthwith marched off for Derry, accompanied by the shouts and yells of the lowest rabble of the town. Mr. Crossley, who attended them, reports their arrival in Derry where their appearance created no sensation.

I have, &c.

(signed) *Fred. Stovin.*

From Sir *William Gosset* to Sir *F. Stovin.*

Sir, 26 July 1834.

I am directed by the Lord Lieutenant to transmit to you the enclosed copy of a letter addressed to me by Mr, Martin, clerk of the Crown, for the county of Londonderry, and to request that you will forthwith proceed to Newtown Limavady, and assemble in concert with the general officer of the district, such force of military and police as may be necessary to enforce the execution of the warrants issued by the magistrates for the apprehension of the persons charged with having taken part in a procession in that town on the 12th instant.

I have, &c.

(signed) *William Gosset.*

From Sir *James Bruce* to Sir *William Gosset.*

Sir, Downhill, 24th July 1834.

I have the honour to state for the information of his Excellency the Lord Lieutenant, that the five men who were identified as having taken part in the Orange procession in Arterlaw on the 12th instant, were brought this day before the magistrates at petty sessions in Colerain, and four of them bound over to take their trial at the next assizes; the fifth was dismissed, the fact not having been satisfactorily proved against him.

I beg leave to state, that there was a strong difference of opinion among the magistrates on the Bench as to the propriety of sending the men to Derry to take their trial for a misdemeanor, which some of the magistrates were of opinion could and ought to have been tried at the quarter sessions, instead of giving them the vexation and expense of perhaps two journeys to Derry, as the men seem determined to have the trial put off till the following assizes; in this difference of opinion the numbers were equal on both sides, and the men then bound over to go to Derry by the casting vote of the chairman.

I have, Sir, &c.

(signed) *J. R. Bruce.*
Vice Lieut. County of Derry.

(C. 6 *a.*)
Orange Processions.

From Sir *William Gosset* to Sir *James Bruce.*

Sir, Dublin Castle, 28th July 1834.

The Lord Lieutenant desires me to offer you his thanks for your communication of the 24th instant, respecting the four men who have been identified as having taken part in the Orange procession at Arterlaw on the 12th of July. I beg at the same time to intimate to you, that the attorney general is of opinion that the informations should, as has been decided by the magistrates, be returned to the assizes.

I have, &c.

(signed) *W. Gosset.*

From Chief Constable *Giveen* to Sir *William Gosset.*

Sir, Belfast, 23d July 1834.

I have the honour to state to you, for the information of his Excellency the Lord Lieutenant, that on the 13th instant I received a report from the constabulary under my charge at Lisburn, that a very numerous procession of Orangemen took place in that town on the 12th instant, and that 29 of those who appeared in it could be identified by some of the constabulary stationed there.

On Tuesday the 15th instant, I communicated this circumstance to a bench of magistrates assembled at petty sessions in Lisburn, who decided that summonses should be prepared and served on these persons, requiring their appearance at the next petty sessions to be held in that town on Tuesday the 22d instant.

This was accordingly done, and twenty so summoned appeared.

I attended at that petty sessions yesterday, and pursuant to orders from Sir Frederick Stovin, inspector general, I laid before the magistrates there, a copy of your letter to him of the 16th instant for their guidance in this case.

Mr. Black and Mr. Williamson, the magistrates who attended, differed in opinion as to the propriety of making the persons summoned amenable for trial at the assizes; Mr. Black was of opinion that they should do so, Mr. Williamson was not; and in consequence of the interference of an attorney, it was ultimately agreed that the persons accused should be tried at the next quarter sessions to be held in Belfast.

The announcement of this decision was the cause of much exultation on the part of the Orangemen, which was immediately followed up by a party procession taking place with music, party tunes, party badges, &c. in front of the petty sessions court house, and through the streets of the town, which caused much excitement. No written informations have yet been received as to those in procession at Lisburn on the 12th; nor any bail entered by them.

An inquiry into the transaction I now report may have a salutary effect. Several of those who took part in the procession on the day of the petty sessions can also be identified; which I beg to state was a very tumultuous assembly.

I have, &c.

(signed) *Fielding Giveen,*
Chief Constable of Police, Belfast District.

From *J. H. Houston,* Esquire, to Sir *William Gosset.*

Sir, Orangefield, 21st July 1834.

I have this day received your letter of the 19th instant, and have written to Mr. David Patten, of Newtown-Ards, chief constable of this district, inclosing him the names of ten persons who can be identified by the police constables of Ballymacarret, as having been in the processions on the 12th instant.

I have requested he will forward a copy of those names to the clerk of the Crown with the least possible delay, and also state the names of the constables who can identify them.

I do not believe any of those persons have ever been prosecuted for a similar offence.

The processions in this neighbourhood were composed of the lowest order of mechanics and labourers.

I have, &c.

(signed) *John H. Houston.*

From Sir *William Gosset* to Chief Constable *Giveen.*

Sir, Dublin Castle, 26th July 1834.

Referring to that part of your report of the 23d instant, in which you state that no written informations have yet been received as to the persons who were in procession at Lisburn on the 12th instant, I am desired to acquaint you, that it is the opinion and direction of the attorney general, that these informations shall be taken by the magistrates, or one of them, and the parties bound to take their trials at the next assizes.

I am, &c.

(signed) *W. Gosset.*

From

(C. 6 *a.*)
Orange Processions.

From Sir *William Gosset* to Sir *F. Stovin.*

Sir, Dublin Castle, 24th July 1834.

I HAVE it in command from the Lord Lieutenant to transmit a letter which has been received from Mr. H. Boyd, respecting a procession which took place at Dromara on the 12th instant; and I am to express his Excellency's desire, that you will furnish a report of the particulars of the occurrence alluded to on the present occasion.

I have, &c.

(signed) *W. Gosset.*

From *H. E. Boyd,* Esquire, to Sir *William Gosset.*

Sir, Dromara, July 22, 1834.

IN reporting the all but total abstinence from party procession in this neighbourhood, I trust his Excellency the Lord Lieutenant will not deem it necessary to direct that proceedings shall be taken against five persons, returned to me as having walked in procession (if so it can be described) on the 12th instant at this place. The whole procession consisting of two persons going out and then returning in party colours, and that the occasion will be deemed too contemptible to deserve notice; nor should I think it necessary to trouble you on the subject, except for the purpose of relieving the meritorious officer, the constable of police stationed here, from any charge of neglect upon this occasion.

I have, &c.

(signed) *H. E. Boyd.*

From *J. G. Jones,* Esquire, to Sir *William Gosset.*

Sir, Portglenone, July 20th, 1834.

IN acknowledging your communication of the 16th instant, desiring me to give a more full and detailed report of the proceedings here on the 12th, I have the honour to state for the information of his Excellency, that having heard a large procession of Orangemen were marching on the Antrim side towards this town, I proceeded to meet them with two mounted police, read the order to disperse; and also, from informations which I had received, and which I herewith transmit, I thought it prudent to read the Riot Act; I also admonished these persons upon the illegality of their proceedings; their leaders assured me they would quietly disperse, and upon entering the yard of the Presbyterian chapel they appeared to be doing so gradually.

Fearing riots from collision with the Roman Catholic party, commonly designated Ribandmen, I drew the military detachment, consisting of 28 men, across the street, in order to prevent this body, should they again assemble, from entering further into the town; at this moment, I was informed that an immense assemblage was coming from the county of Derry; I placed the constabulary, 22 men, on the bridge, with directions not to let this body pass; they opposed their progress, with temper and steadiness, for twenty minutes.

The military and police were separated about five hundred yards, at extreme ends of the town; the Antrim procession forced their way through the military, and seeing them coming in great numbers upon the flank of the police, I ordered the men to give way, seeing it would be impossible for us to keep our position without very great slaughter.

Both parties, amounting to at least three thousand, paraded the street, and then moved off, without any further breace of the peach occurring.

In my communication of the 16th, I had the honour of stating that I had arrested 16 of the principals, and convicted them in a summary manner; these men I have lodged in the county prison, and I have no doubt this prompt punishment will have a most beneficial effect.

I have, &c.

(signed) *John Gore Jones.*

County of Antrim, } The informations of John Rea, who, being duly sworn, deposeth, and
To wit. } saith, That he has heard, and believes, that large parties of people calling themselves Orangemen, purpose parading, in procession, through the streets of Portglenone, on the ensuing 12th of July; that these processions tend, as this deponent believes, to excite and stir up very angry feelings, and have on former occasions caused fatal affrays, to the danger of His Majesty's peaceable subjects residing in the town and vicinity of Portglenone.

Deponent further states, that he has no doubt, should these processions, commonly called "walking of Orangemen," be permitted to enter the town of Portglenone, on the ensuing 12th of July, that the worst consequence may be expected, as the Roman Catholics will not suffer themselves to be insulted, or their feelings outraged by these senseless parades, of what they have hitherto considered a domineering faction.

Sworn before me this 11th day of July 1834.

John Rea. *John Gore Jones.*

(C. 6 *a.*) Orange Processions.

County of Antrim, To wit. } The informations of John Rainey, who, being duly sworn, deposeth and saith, That he has heard, and believes, that large parties of people calliug themselves "Orangemen," purpose parading in procession through the streets of Portglenone, on the ensuing 12th of July; that these processions tend, as this deponent believes, to excite and stir up very angry feelings; and have, on former occasions, caused fatal affrays, to the danger of His Majesty's peaceable subjects residing in the town and vicinity of Portglenone.

Deponent believes, from what he has heard, that processions of what are termed the "walking of Orangemen," will proceed from the various villages in the county of Derry to the town of Portglenone, there to meet the Orangemen of the county of Antrim. Deponent has no doubt, if these processions be not checked by the interference of the proper authorities, bloodshed will be the consequence, as he feels convinced the Roman Catholics will not tamely submit to be insulted by these party displays.

Sworn before me this 11th day of July 1834.

John Rainy. *John Gore Jones.*

From *J. G. Jones,* Esquire, to Sir *William Gosset.*

Sir. Portglenone, July 16th, 1834.

In reverting to my communication of the 12th, in which I had the honour to state to you, for his Excellency the Lord Lieutenant's information, that a very large party of Orangemen forced their way through this town, I now would beg further to observe, that I issued warrants for seventy-five of these misguided persons, and that sixteen of the most reckless, with the assistance of Mr. Crossly, J. P. and sub-inspector of Derry, I have this day proceeded against in a summary manner and convicted. I escort these men in the morning to Carrickfergus gaol.

I would now take the liberty of bringing under the consideration of his Excellency the propriety of permitting me to admonish the remainder when taken, and then discharge them from durance.

As I should hope the fate of the sixteen convicted will be a salutary and useful lesson in this county, and will also show the local magistrates that they possess full power, if they feel inclination, to check these irritating mischievous party displays.

I have, &c.

(signed) *John Gore Jones.*

From Sir *William Gosset* to *J. G. Jones,* Esq.

Sir, Dublin Castle, 23d July 1834.

I have received and laid before the Lord Lieutenant your letter of the 16th instant in reference to yours of the 16th, stating that you had issued warrants for the apprehension of seventy-five individuals, part of a large body of persons who forced their way through Portglenone on the 12th, sixteen of the most reckless of whom you have proceeded against in the most summary manner and convicted, and suggesting, for the reasons assigned, the expediency of your being permitted to admonish the remainder when taken, and then discharging them; in reply, I am to convey the Lord Lieutenant's approval of your adopting the course proposed on this occasion.

I have, &c.

(signed) *William Gosset.*

From Sir *William Gosset* to Sir *F. Stovin.*

Sir, Dublin Castle, 16th July 1834.

The Lord Lieutenant having consulted with the law officers upon the subject of your report of the occurrences which took place in certain parts of your district on the 12th instant, I am to observe that the persons who have taken part in the procession must be made amenable to and tried at the next assizes. The magistrates will endeavour to select the leaders and most active of the parties, and, if it be possible in any instances to select and identify persons who had been before indicted, and let off on nominal punishments, the attorney-general would wish to have them brought forward, and the fact of their previous violation of the law stated as a special reason for proceeding against them to the full extent which the law warrants.

I have, &c.

(signed) *William Gosset.*

You are requested to communicate this to the magistrates of the petty sessions where processions have taken place. *W. G.*

From Sir *William Gosset* to the Mayor of Carrickfergus.

Sir, Dublin Castle, 16th July 1834.

I beg to acknowledge your letter of the 12th instant, inclosing informations taken against three persons for being concerned in an Orange procession at Carrickfergus on the above day; and, having communicated with the attorney-general upon the subject, I have to inform

inform you that, agreeable to his opinion, the persons in question should be summoned and bound to take their trial at the next assizes, when the crown solicitor will be instructed to prosecute.

I have, &c.

(signed) *William Gosset.*

From Sir *F. Stovin* to Sir *William Gosset.*

Sir, Dungannon, 15th July 1834.

I HAVE the honour to transmit, for the Lord Lieutenant's information, an abstract of the reports which reached me this morning relative to Orange processions on the 12th instant, and which have terminated without disturbance to the peace.

The county Fermanagh, which has heretofore borne so prominent a part on these occasions, has been perfectly quiescent; and in that and other counties, when display has occurred, the assemblies have been composed of the lowest description of people.

I have, &c.

(signed) *Frederick Stovin.*

COUNTY.	Places where Processions took place.	PARTICULARS of PROCESSION.	REMARKS.	Numbers Identified.
Antrim	Belfast	A small processsion; an Orange arch was erected.	-- A magistrate directed the police to remove the arch, in which they failed.	4
	Lisburn	A large procession	Tranquil	15
	Kells	A large procession	- ditto	7
	Cloughmills	A procession	- ditto	21
	Crumlin	A small procession	- ditto	14
	Glenarm	No procession, nor indication of party spirit.	Heretofore high Orange.	
Armagh	Armagh	No procession or party display.	-- A few flags were displayed at windows, but taken down when requested.	
	Newry	No procession in the Armagh side of the town.		
Cavan	Cavan	No procession or display	-- These processions were composed of the lowest description of people.	
	Cootehill	No procession or display		
	Virginia	No procession or display		
	B. James Duff	A small procession		
	Arva	A small procession		
	Killeshandra	No procession in the town; a small one in the country		
	Bailieborough	A large procession	-- Messrs. Pratt & Williams, magistrates, caused 34 persons to be apprehended.	34
Monaghan	Pettigo	A procession, but without flag, music, or other decoration.	-- Mr. Barton, high sheriff, exerted himself here and at other places in Fermanagh,	
	Monaghan	No procession in the town	Tranquil.	
	Castle Blany	A procession of 40 persons	-- One sword (the only arms) taken by order of Mr. M'Watty, a magistrate.	
	Ballybay	A procession of 1,200, with 8 flags.	-- Mr. Lucas, a magistrate, attended, but did not interfere, though having a police force and company of infantry at his disposal.	
	Clones	A small procession in the neighbourhood.	- - - - -	16
	Newbliss	A small procession	- - - - -	7
	Drum	A small procession	- - - - -	6
Tyrone	Aughnacloy	No procession or display	These four places were heretofore high Orange.	
	Ballygawley	No procession or display		
	Five-mile Town	No procession or display		
	Fintona	No procession or display		
Derry	Derry	No procession or display.		
	N. Limavady	A large procession	-- Three magistrates ordered them to disperse without effect.	18
	Colerain	A large procession	Tranquil	41
	Arterlaw	A large procession	- ditto	5

F. Stovin.

(C. 6 *a.*)
Orange Processions.

From *F. Stringer*, Esq. to Sir *William Gosset.*

Sir, Tassagh, July 14th, 1834.

I BEG leave to report to you, for the information of the Lord Lieutenant, that an Orange party in procession, with flags, badges, and music, about 200 in number, marched into Keady at seven o'clock on the evening of 12th July. On their arrival at the end of and immediately close to the village I halted the procession, read the Act, and ordered the party to disperse in 15 minutes.

To this order they refused to comply. Four of the party have been identified, and I request instructions may be given me as to what proceedings I shall adopt towards them.

I have, &c.

(signed) *Francis Stringer.*

From Sir *William Gosset* to *F. Stringer*, Esq.

Sir, Dublin Castle, 18th July 1834.

I HAVE to acknowledge the receipt of your letter of the 14th instant, reporting the proceedings of an Orange party who walked in procession into the town of Keady on the 12th July, which having been submitted to the Lord Lieutenant, was by his Excellency's desire referred to the attorney-general, who is of opinion that the persons who have taken a part in the procession must be made amenable to be tried at the next assizes, and that the magistrates should endeavour to select the leaders and most active of the parties, and, if it be possible in any instance to select and identify persons who have been before indicted, and let off on nominal punishment, the attorney-general wishes to have them brought forward, and the fact of their previous violation of the law stated as a special reason for proceeding against them to the full extent which the law warrants.

I have, &c.

(signed) *Wm. Gosset.*

From Chief Constable *M'Donagh* to Sir *William Gosset.*

Sir, Arva, 13th July 1834.

I HAVE the honour to acquaint you that on yesterday, the 12th instant, several of the Orangemen assembled here at their lodges (two of which are in the town); after remaining for some time, left, and returned in the evening, where they continued until between seven and eight o'clock.

Captain Johnson and Lieutenant Watson, of the 27th foot, with 45 rank and file, Mr. Kilbee, a magistrate of this county, and a Mr. Robinson, another magistrate, were in attendance.

The magistrates continued till near seven o'clock in the evening, at which time the town and neighbourhood was perfectly tranquil, and continued so till near nine, when an altercation took place between three individuals, one of the Orange and the others of the opposite party, in which it was alleged that the Orangeman was assaulted, when others on his side having heard it rushed into the street to espouse his cause, one of whom was armed with a sword, of which I instantly deprived him, which had the good effect of preventing anything further of an unpleasant nature occurring.

There was an attempt made by a few to march in here in procession; they had amongst them two colours, and a good many of them wore scarfs; but notwithstanding (I am happy to add) the day passed off quietly, with the exception of what I have alluded to.

I have, &c.

(signed) *James M'Donagh,*
Chief Constable.

From *J. Pratt*, Esq.

Sir, Corinsica, 13th July 1834.

I HAVE the honour to state, for the information of his Excellency, that I went over yesterday to Bailieborough, in order to assist the civil and military power in preventing an Orange procession which it was apprehended would take place in that direction. I met Mr Williams, another magistrate, near that town, where some of the Orange party there assembled promised faithfully on their part that from the explanations and remonstrances of the magistrates they would not march in procession or be guilty of any other illegal act. We took down their colours; but, however, Mr. Williams heard near the place that they intended notwithstanding to have processions, and he immediately sent for the police and the military detachment. This latter had scarcely taken up their position when two processions appeared, with fifes and drums playing and flags flying, and seemed to approach each other from different directions with an intention to unite. The magistrates warned them successively of the illegality of their proceedings, but in vain; when they took into custody thirty-four of the ringleaders of both processions, with all their colours and drums, and bound three of the police to prosecute them at the next assizes of this county. These people seem to be among the lowest and most ignorant of their class, and not to be countenanced (but on the contrary to be dissuaded from these meetings) by the superiors of their party, none of whom attended.

A number

A number of women and boys were present, but I am sorry to say that nothing appeared to palliate their offence on the ground of their being ignorant of what the law required. They had no arms but a few rusty swords in possession of their leaders, apparently for show, which they did not use.

I have, &c.

(signed) *John Pratt.*

From Rev. *H. F. Williams* to Sir *William Gosset.*

Sir, Killinkere Glebe, Virginia, 12th July 1834.

I BEG to acquaint you, for the information of his Excellency the Lord Lieutenant, that in compliance with the request of a meeting of the magistrates held at the assizes of Cavan, and transmitted to me at an early hour this morning, I took charge of the military and civil force ordered to Bailieborough to prevent the contemplated Orange processions in that neighbourhood. I immediately proceeded to Bailieborough, calling at different lodge-houses, the masters of which immediately acceded to the propriety of not having a procession.

The party in Bailieborough on my arrival were in their lodge, with a flag flying from the window. On remonstrating with the master he also consented not to walk, and also immediately withdrew the flag. I then received information that a much more numerous body were assembled at some distance from the town. Hoping for the same success, I rode out accompanied by Mr. Fox, chief police of Kingscourt, and his orderly, and found a numerous party collected in a field, with flags flying, and tents pitched. At this place I was joined by Mr. Pratt, J. P.; but finding all our entreaties useless, and that they were determined to have a procession, I sent the orderly to Bailieborough to forward the military and police. Mr. Pratt and I rode forward, and on meeting the military we returned to prevent this party marching towards Bailieborough; and seeing another large party approaching in the opposite direction, we immediately made prisoners of the first party, who offered no violence, but at once gave themselves up. Here the troops halted, and Mr. Pratt and I, accompanied by Mr. Fox and a few police, went forward to remonstrate with the party coming towards us; however, they seemed determined not to be stopped by us, and on the leader refusing to tell his name, I ordered Mr. Fox to take him into custody; on which a violent attempt being made to rescue him from the police, I was under the necessity of calling up the assistance of the military. In a few moments, with very little violence, we succeeded in dispersing the procession, and marching 43 prisoners into the court-house of Bailieborough, for the purpose of ascertaining their names, residences, and admitting them to bail, informations being taken against them binding them to trial at the next assizes. I feel pleasure in stating that but one person was injured, and that by a slight wound of a bayonet.

With the concurrence of Mr. Pratt, I refused to give up the drums, colours, and wands, of which we deprived the processions, fearing others might be formed on leaving the town.

May I beg to know, are these emblems to be given up to the persons now claiming them, and who are much exasperated at our detaining them, and also, should the anticipated party procession of Tuesday next take place, are we not pursuing a proper course in making prisoners, as without doing so it would be utterly impossible to have them identified.

Hoping that our unpleasant duty will meet the approbation of his Excellency the Lord Lieutenant,

I have, &c.

(signed) *H. F. Williams.*

From Sir *William Gosset* to Rev. *H. F. Williams.*

Sir, Dublin Castle 18th July 1834.

HAVING submitted to the Lord Lieutenant your letter of the 12th instant, detailing your proceedings for the suppression of Orange processions in the vicinity of Bailieborough, county of Cavan, his Excellency directs me to consult the attorney general on the subjects to which you refer, and I have now to acquaint you, that in his opinion, the drums and emblems which have been claimed must be given to their owners, and as to the proprietary, it must be ascertained as well as you are able.

I have, &c.

(signed) *William Gosset.*

From *J. G. Jones*, Esq. to Sir *William Gosset.*

Sir, Portglenone, July 12, 1834.

I HAVE the honour to state, for the information of his Excellency the Lord Lieutenant, that an immense assemblage and procession of Orangemen took place this day, in this town; their number exceeded 3,000; their conduct was reckless, and the force at my command too small to restrain or prevent their marching, though I had received informations on oath, which would have justified very decided interference.

I shall be able to have many identified, and I will take care to issue warrants for their apprehensions.

I read the order to disperse, I also felt myself called upon to read the Riot Act. Up to this hour I have not heard of any outrage being committed in my district.

I have, &c.

(signed) *J. G. Jones.*

(C. 6 *a.*) Orange Processions.

From Sir *William Gosset* to *J. G. Jones*, Esq.

Sir, Dublin Castle, 16 July 1834.

I AM directed to acquaint you, that his Excellency wishes to have a further and more detailed report of the circumstances attending the immense assemblage and procession of Orangemen which took place at Portglenone, on the 12th instant, as adverted to in your letter of that date.

I have, &c.
(signed) *William Gosset.*

From *J. G. Jones*, Esq. to Sir *Frederick Stovin.*

My dear Sir, Portglenone, July 12th, 1834, 10 o'clock, P.M.

ALL our apprehensions relative to Portglenone, have been realised. At about three o'clock I heard that a very large assembly of Orangemen were marching in this town from the Antrim side, I went forward with two mounted policemen, read the order to disperse, also the Riot Act, in consequence of information I had received on oath, and remonstrated on the illegality as well as the folly of their proceedings. I had previously selected the narrowest spot of the street near the entrance of the town, and had placed here the military. The leaders assured me they would not enter the town, and turned into the yard of the Presbyterian chapel, and appeared to be gradually and quietly dispersing; at this moment I was informed that an immense procession was approaching from the county of Derry, and I marched the constabulary, 22 in number, with Mr. Kennett, and placed them on the bridge; the military and police being then separated 500 yards.

I instructed Mr. Foser, the officer in charge, not to let the Antrim Orangemen pass, those from Derry appeared ferocious and reckless, but they were kept in check until I perceived the Antrim party had broken through Mr. Foser's line. To have longer prevented their entrance was impossible, without firing, and when I considered the slaughter that must ensue, there being then assembled upwards of 3,000 persons, I thought it more prudent to give way; the procession passed through the town, and up to this hour I have not heard of an outrage. I shall of course issue my warrants, and I shall think it advisable to retain the military, until the excitement consequent upon their execution subsides.

Yours, &c.
(signed) *J. G. Jones.*

From *W. J. Hancock*, Esq. to Sir *William Gosset.*

Sir, Lurgan, 12 July 1834.

I HAVE the honour to state for the information of his Excellency the Lord Lieutenant, that there have been no Orange processions this day in this town, nor in any part of this petty sessions district; perfect peace has been preserved, of course we have had Orange flags on the church steeple, and some few orange lilies have been exhibited. No military were here nor any additional police, and I have much satisfaction in thinking that no breach of the peace will occur now, as I write at six o'clock P.M. the last moment for post.

I have, &c.
(signed) *William John Hancock.*

From Sir *William Gosset* to *W. J. Hancock*, Esq.

Sir, Dublin Castle, 15th July 1834.

THE Lord Lieutenant desires me to convey to you his thanks for your communication on the state of the town of Lurgan, throughout the 12th of this month, which was very satisfactory.

I have, &c.
(signed) *William Gosset.*

From Sir *William Gosset* to Sir *F. Stovin.*

Sir, Dublin Castle, 5th July 1834.

SEVERAL representations having been received from the north of Ireland, of the intention of the Orangemen to walk in procession on the 12th instant; I have by his Excellency's desire, communicated with the major general in command upon the subject, who will immediately instruct the officer in command of the Ulster district to put himself in communication with you, in order that such measures may be adopted on the occasion, as you may conjointly deem fit for preventing those processions.

I have, &c.
(signed) *William Gosset.*

(C. 6 *a.*) Orange Processions.

From Sub-Inspector *Crofton* to Colonel Sir *William Gosset.*

Sir, Hilltown, 4 July 1834.

Being convinced that a large body of Orangemen will walk in procession at Rathfryland, on the 12th instant, and it being (in the present excited state of party feeling) not unlikely that a collision might take place between them and the Roman Catholics living in the neighbourhood, I feel it my duty to request that a troop of cavalry, and a company of infantry may be ordered there on that occasion, to support the civil power, if required.

With reference to your circular letter of the 23d of June relative to illegal processions, I beg to know (being long since convinced from experience, that persuasion and reasoning will have little effect) what steps his Excellency the Lord Lieutenant would approve of being taken to disperse such assemblies, when the persons composing them refuse to separate. I beg leave to add, that I have written to the Marquis of Downshire, in reply to a letter from his lordship, on the subject of processions (which will no doubt be very general) in this county on the 12th instant; and also to Sir Frederick Stovin, but I deem it my duty (as a magistrate) to address you relative to this immediate neighbourhood.

I have, &c.

(signed) *J. W. Crofton,*
Sub-Inspector of Down.

From Sir *William Gosset* to Sub-Inspector *Crofton.*

Sir, Dublin Castle, 9 July 1834.

With reference to your inquiry as to the measures you should take in your relative capacity as a magistrate, for the dispersion of any assemblage of Orangemen, which may take place on the 12th instant in the immediate neighbourhood Hilltown, (Rathfryland) I have only to remark that you must proceed according to the directions of the statute enacted in this case.

I am, Sir, &c.

(signed) *William Gosset.*

From Chief Constable *Decluzean* to Sir *William Gosset.*

Sir, Virginia, 13 July 1834.

I have the honour to inform you, for the information of his Excellency the Lord Lieutenant, that yesterday passed over quite tranquilly in this district. I kept the constabulary confined to their barracks during the day, in readiness to act if required, but no Orange procession took place except in Bally-James-Duff, through which place a few men (strangers from the country) marched without opposition.

I have, &c.

(signed) *John J. Decluzean,*
Chief Constable Police.

From Sir *J. R. Bruce* to Sir *William Gosset.*

Sir, Downhill, 26 June 1834.

In the absence of Lord Garvagh, I have the honour to acknowledge the receipt of your letter of the 23d instant, and am happy to be able to state that those who have most influence with the parties who usually walk in procession on the 1st and 12th July, are using that influence to prevent any violation of the law on those days; I therefore trust that his Excellency the Lord Lieutenant's expectations may be realised, and that none will take place in this county.

I have, &c.

(signed) *J. R Bruce,*
Vice Lieut. County Londonderry.

From Lord *Lorton* to Sir *William Gosset.*

Sir, Hams Hall, Coleshill, Warwickshire, June 30, 1834.

I have had the honour to receive your circular of the 23d instant, and have lost no time in writing upon the subject. I beg leave to observe, for the information of his Excellency the Lord Lieutenant, that I do not apprehend any probability of disturbance on the 1st or 12th of July in the county of Roscommon.

I have, &c.

(signed) *Lorton.*

Appendix (C. 6 *b.*)

(C. 6 *b.*)
Orange Processions.

CORRESPONDENCE relative to PROCESSIONS of RIBANDMEN at *Plumb Bridge*, 1834.

From Sir *Fred. Stovin*, to Sir *William Gosset*, K. C. H.

Dungannon, 20 March 1834.

Sir,

I HAVE the honour to enclose, for the information of the Lord Lieutenant, the reports as per margin, of the sub-inspectors and chief constables, where processions took place on the 17th instant; but which did not in any instance produce disturbance.

C. C. Kirwan, Downpatrick; C. C. Patton, N. T. Ards; Chief C. Jones, Fork Hill; Chief C. Persse, Strabane; Sub-Inspector Flinter, Ballymena.

The names of those identified by the police as forming part of these assemblies, have been called for, and where none have been taken down, the officers have been called upon to account for their apparent neglect of duty.

On the report of Constable O'Niel, transmitted by Chief Constable Persse, in which it is stated that 150 men appeared in arms, I may remark that Plumb Bridge is in the wildest and most impenetrable part of Tyrone, and it is most probable that such a formidable array prevented the police (a very small party) from approaching near enough to identify individuals.

I have, &c.

(signed) *Fred. Stovin.*

From *W. Crofton*, Sub-Inspector, to Sir *Fred. Stovin.*

Rathfriland, 18 March 1834.

HEREWITH I beg to send a report from Chief Constable Kirwan, stating that nearly 4,000 Ribandmen, with music and decorated with green ribands and sashes, had marched through Downpatrick yesterday, and that about ten of them had been identified by the police.

There were not any processions at Newry, Castlewellan, Hilltown or Rathfriland. I am not yet able to speak as to the other places, where they were likely to occur, not having received reports from the officers in charge of them.

I am, &c.

(signed) *W. Crofton*, Sub-Inspector.

From *J. Kirwan*, Chief Constable, to *W. Crofton*, Sub-Inspector.

Downpatrick, 17th March 1834.

Sir,

I HAVE to inform you that a large procession of Ribandmen walked through this town with fifes, and wearing sashes and green ribands; I suppose nearly 4,000. A good many magistrates assembled here at an adjourned petty sessions. Colonel Forde and Rev. Mr. Anstey took two sashes from them. The police that were best acquainted in the country I placed in a conspicuous place to identify them; they have taken down about ten names. There is some appearance of rioting, as there are many drunk in the streets.

(signed) *J. Kirwan*, C. C.

From *David Patton*, Chief Constable, to Sir *Frederick Stovin*, Inspector-General of Police.

Newtownards, March 18, 1834.

Sir,

I HAVE the honour to report that no manifestation of party feeling, nor any party procession took place in Newtownards district under my charge on the 17th instant; but I beg leave to report, that Mr. Correy, chief constable of Saintfield district, having to attend the county of Antrim assizes at Carrickfergus, Mr. Crofton, sub-inspector, addressed a letter to me here during my absence attending Armagh assizes, directing that a strong police force should assemble at Saintfield on the morning of the 17th, and proceed from thence to Crossgar, to act under the orders of the magistrates at the latter place for the preservation of the peace; when the constable in charge of the party arrived at Crossgar, he waited upon Mr. Herron, J. P. who detained the party in town all night. About the hour of four o'clock P. M. about 100 persons, assuming the name of Ribandmen, marched into town decorated with green and white ribands on their hats, and many having scarfs of the same colours, and accompanied by fifes; they remained in town about half an hour, and then took their departure to their homes. They received no opposition from the Protestants, and there was therefore no breach of the peace nor riot. Mr. Herron, J. P. had gone to his residence to dinner a short time before the arrival of the Ribandmen in Crossgar, and before his return they had taken their departure. The police took down the names of two persons who they are able to identify as having taken a part in this procession, which names I shall forward, together with the names of the policemen who have identified them, at any time you may be pleased to desire.

I have, &c.

(signed) *David Patton*, Chief Constable.

From *H. Jones*, C. C., to *William Henry*, Esq. Sub-Inpector, &c. Armagh.

(C. 6 *b.*) Orange Processions.

Dear Sir, Fork Hill, 18th February 1835.

I ATTENDED the fair at Camlough yesterday, and am happy to say that the day passed without a single outrage. A considerable number of people paraded in the immediate neighbourhood with a fife, about 12 o'clock. I counted about 50 of them in the afternoon; they passed through the fair, their numbers then being full 200. I heard nothing more of them. I cleared the public-houses at nine o'clock, and at that hour very few remained. I directed the Newry party to return to their quarters. The muster-roll amounted to 17 men.

I am, &c.

(signed) *H. Jones*, C. C.

From *Dominick Persse*, Chief Constable, to Sir *Frederick Stovin*, Dungannon.

Sir, Strabane, 19th March 1834.

I HAVE the honour to state for the information of his Excellency the Lord Lieutenant, that on the 16th instant, about half-after one o'clock P.M., I received a report from the constable in charge of the station at Gortin, in this district; that a report was current of a procession of the Ribandmen to make their appearance at the Plumb Bridge, in that neighbourhood, the day following, being Patrick's-day. On receiving this information, I dispatched by constable to Holly Hill to Mr. Sinclair to know what was best to be done, and his opinion, that if any of the Ribandmen in the said procession could be identified, that their names be taken a list of, and their motions to be carefully watched. With this view, I immediately dispatched orders to Constable O'Neill, who attended there with the party of constabulary under his charge, and I herewith beg to enclose that constable's report for your consideration. I did not deem it wise to go to Plumb Bridge, or take any of the police from this place away from Strabane, it being reported that the Ribandmen were to come here in great force on said day; and besides the county of Donegal assizes were then going on within a mile of us, and I attended there while the criminal trials were on for the former barony I belonged to, lest I might be called upon in any of the cases.

I beg to add, that yesterday morning I proceeded to Gortin station, partly with the intention of waiting on Mr. Cole Hamilton, to see whether any active part would be taken in the affair relating to that unlawful procession alluded to, but that gentleman was from home. I have not heard of any other body of Ribandmen assembling in this district on Patrick's-day, nor of any other outrage.

I have, &c.

(signed) *Dominick Persse*, Chief Constable.

From *John O'Neill*, Constable, to Captain *Persse*, Strabane.

Sir, Gortin, 18th March 1834.

IN compliance to your order, we went to Plumb Bridge, and arrived there at 11 o'clock A.M., and at 12 o'clock P.M. there marched into the fair of Plumb Bridge about 400 or 500 Ribandmen, with four banners, three of which were green, with the representation of a man's head and shoulders on each side of them; the fourth was coloured white, with the representation of a harp on one side, and the appearance of a man's head and shoulders on the other. They marched through the fair of Plumb Bridge on the road leading to Newtown Stewart, and returned about an hour and a half after the same way. There were about 150 of them armed, or thereabouts, with short arms, resembling our carbines. They then turned off the road leading to Dunnymanogh, and went down to a field near the river brink, where they formed in three divisions, and, I believe, drunk some liquor. They then marched on the road leading to Dunnymanogh, and left the place with the greatest quietness, only they fired a few shots. I nor none of my party knew none of them. Clements and I went to Plumb Bridge this morning, and found that the night passed quiet there.

We understand that a number of them is known by the country people, who will come forward and lodge informations against some of them if required.

I am, &c.

(signed) *John O'Neill*, Constable.

From *G. S. Flinter*, Sub-Inspector, to Colonel Sir *F. Stovin*.

Sir, Carrickfergus, 18th March 1834.

I HAVE the honour to inform you, that I received a letter this morning from Ballymena, reporting that some Orangemen went through that town yesterday evening, with orange colours, and a fife and drum, playing "The Protestant Boys." After which they had a large fire in one of the streets, in which they burned the effigy of St. Patrick; no riot took place. On my return from Ballymena, I will report all the particulars I can find out.

I am, &c.

(signed) *G. S. Flinter*, Sub-Inspector.

From Sir *William Gosset* to Sir *Frederick Stovin.*

(C. 6 *b.*) Orange Processions.

Sir, Dublin Castle, 25th March 1834.

The Lord Lieutenant having directed your letter of the 20th instant, and its accompanying reports from the police, respecting processions that took place on the 17th, to be laid before the Attorney General, I beg to acquaint you, that it appears that in all these cases, there is no doubt that the Act of 2d & 3d W. 4, c. 118, has been violated, and that the parties identified ought to be summoned before the petty sessions, and informations being sworn, held to bail at the next assizes.

His Excellency therefore requests that you will have the necessary steps taken, in accordance with the law officers' opinion.

I have, &c.
(signed) *W. Gosset*

From *A. Hamilton,* Esq. and Magistrates at Petty Sessions, Gortin, to Sir *William Gosset.*

Sir, Gortin, Omagh, 11th April 1834.

We, the undersigned magistrates for the county of Tyrone, beg leave to state for the information of his Excellency the Lord Lieutenant, that having received information on the oath of John O'Neal, a constable of police, now quartered in Gortin, (a copy of which information we send herewith), that there had been a party procession at a place called the Plumb Bridge, about three miles from this town, on the 17th of March last, we conceived it to be our duty to investigate this matter, and on inquiry we were able to ascertain from several persons residing in that neighbourhood, the names of many individuals who were stated to have taken a part in that procession. In consequence of that information, we issued summonses for the appearance of the persons charged, at petty sessions here this day; and after a long and patient investigation, it appeared to us on the testimony of several respectable witnesses, that upwards of 40 of the persons summoned had been engaged in this procession, many of them armed with guns and other offensive weapons. We have bound more who gave the information to prosecute when called on, but before issuing warrants for the apprehension of the accused, we would wish to receive his Excellency's direction, whether they shall be bound to take their trials at the next assizes or quarter sessions, and on receiving that instruction, we shall act in obedience to it.

We have, &c.

(signed) *An. Cob Hamilton,* Chairman. *Charles Douglas.*
Charles Cobbe Beresford. *Jones Crawford.*

County Tyrone, to wit. John O'Neal, serjeant of police, sworn, saith, That on the 17th of March last was at the Plumb Bridge in command of the party of police stationed at Gortin; about 12 o'clock deponent saw a party of men marching in procession from the Butterlope into the village of Plum Bridge with four flags, music, armed with guns, swords, bayonets; the procession proceeded through the fair of Plum Bridge in the direction of Newtown Stewart; thinks they were away about an hour, when they returned in the same order as before, the town music playing about a quarter of a mile out of the village; they turned off the road a little distance and halted in a holme, from whence he swears they fired four shots. Deponent served in the army for some time, and to the best of his judgment they were from 500 to 600 in numbers; thinks there was from 150 to 180 firelocks; the greater part of the rest were armed in some way or other, and deponent further saith not.

Sworn before us at Beltrim, the 4th April 1834,

(signed) *A. H. C. Hamilton.*
Charles Cobbe Beresford.

Examinant bound in the sum of 20*l.* to prosecute at the next assizes to be held at Omagh.—*John O'Neil.*

From Sir *William Gosset* to Magistrates at Petty Sessions at Gortin.

Gentlemen, Dublin Castle, 17th April 1834.

The Lord Lieutenant having directed the information of Constable O'Neil, as well as your communication of the 11th instant, respecting the procession which took place at Plumb Bridge on the 17th of March last, to be laid before the Attorney-General, I now beg to state, that it appears to the attorney that in this case there has been a breach of the Processions' Act, and that the parties charged should be bound to take their trial at the assizes.

I have, &c.

(signed) *W. Gosset.*

Appendix (C. 6 *c.*)

(C. 6 *c.*)
Orange Processions.

CORRESPONDENCE relative to the BURNING IN EFFIGY of Messrs. STRONGE and DUFF at Dungannon on 12th August 1834.

From the Earl of *Caledon* to the Right Honourable *E. J. Littleton,* &c. &c. &c.

My dear Sir, Caledon, 13th October 1834.

IT will be satisfactory to you to learn, that the county of Tyrone enjoys a state of tranquillity; but I am apprehensive that efforts will be made to revive religious contentions in the town of Dungannon, and this under circumstances which make it necessary for me to know the intentions of Government, and the extent of my power as lieutenant of the county.

I am afraid I must occupy your time at some length, that the bearings of the case may be fully understood.

For some years past Dungannon has periodically exhibited scenes of party violence; on the 1st and 12th July the public peace was disturbed, and on the 12th of August an arch decorated with orange emblems was erected in the street; Mr. Stronge, a magistrate, who had exerted himself in the suppression of disturbances on former occasions, and Mr. Duff, the chief constable of police, were burnt in effigy, the church was twice forcibly entered by persons whose object it was to ring the bells, and a purple flag, bearing the inscription "Church and State" in orange letters, was suspended from the steeple.

As Mr. Duff reported to me that none of the persons concerned in the erection of the arch could be identified, and as no riot ensued, I did not follow up my inquiries on these points; but as I considered the forcible entry into the church and the suspension of the flag from the steeple demanded some notice, I addressed myself to the Rev. Mr. Horner, the resident rector of the parish, and requested to know from him whether the persons who committed the outrage were known to him, and if so, whether any steps had been taken to procure their punishment; also, whether a flag was suspended from the steeple of his church, and if so, whether he sanctioned its display.

In acknowledging the receipt of my letter, which Mr. Horner terms an inquiry into his administration of his parish, he adds, "that not holding any appointment under Government, I do not recognize in Government any right to interrogate me upon such matters."

I endeavoured, but in vain, to satisfy Mr. Horner that I aimed not at any interference in the administration of his parish, and that I merely sought for information from him as the rector of Dungannon.

As Mr. Horner persisted in his refusal to afford me any information, and the Primate having offered to be the medium of communication, I learnt through his Grace that Mr. Horner "knew nothing of his own knowledge" of what passed in Dungannon on the 12th August; that he heard and believes that persons had introduced themselves into the church and rung a few peals upon the bells; and he then asks, whether as the bells of the cathedral of Derry were rung on the same day, there was any thing criminal in a similar proceeding in Dungannon? He afterwards assigns as the reason for declining to communicate with me, "that though the terms of my communication were courteous, its tone was cold, official and dictatorial, and that my application was inconsistent with his rights."

I have not added the correspondence, lest it should be irksome to you to read it, but I feel warranted in drawing the conclusion that Mr. Horner has sanctioned a display of party feeling, and that there are strong grounds to expect a similar display on the 4th of November.

If I find there is on that day the erection of orange arches, the ringing of bells and the suspension of the orange flag from the church steeple, I propose to convene a meeting of deputy lieutenants and magistrates, in conjunction with whom I shall inquire into the transactions that may occur; and assuming that it may be necessary to require the attendance of Mr. Horner, I beg to know how far I would be justified in compelling it, and in compelling him to give evidence if he refuses to do so on the allegation that a compliance would be inconsistent with his "rights."

I am aware that I may be placed in a situation requiring great circumspection, and unless my authority surpasses Mr. Horner's rights it is better I should not require his appearance; but I am anxious to show the power (if I possess it) of suppressing a course by which the unwary are led into measures that mark them for punishment, whilst their offence is in fact of a secondary character.

I have, &c.

(signed) *Caledon.*

(C. 6 *c.*)
Orange Processions.

From the Right Honourable *E. J. Littleton* to the Earl of *Caledon.*

My dear Lord, Dublin Castle, 14th October 1834.

I HAVE lost no time in submitting your letter of the 13th instant to Mr. Greene, the counsel to this office, as I was aware that you would wish to have the best possible authority for your guidance in the matter to which your letter refers; Mr. Greene's opinion is in the following words: "I am of opinion that Lord Caledon, as lieutenant of the county, will not have any right to summon or examine Mr. Horner relative to any facts connected with the apprehended display of party feeling, unless a violation of the law shall take place, either by the commission of any breach of the peace or by the exhibition of any emblems, contrary to the Party Processions' Act; should the state of things however justify a reasonable opinion, that that or any other law has been infringed, Lord C. may, as in any other case of misdemeanor, summon by his warrant Mr. Horner to depose to any circumstances, within his knowledge, calculated to lead to the discovery of the offending parties, and to bind him by recognizance to appear as a witness in support of any indictment which may be preferred.

"I think it right to add, that the occurrence stated to have taken place on the 12th of July was of so illegal a character as would have fully warranted Lord C. in summoning Mr. H. to give testimony."

I have, &c.

(signed) *E. J. Littleton.*

Appendix (C. 7.)

(C. 7.) CIRCULARS to MAGISTRATES, PROCLAMATIONS, &c. respecting ORANGE PROCESSIONS.

1828, October (A.)—Circular Letter, enclosing the Lord-Lieutenant's Proclamation for the suppression of illegal Meetings - - - - - - - - p. 140
1829, July - - (B.)—Circular Letter upon the subject of Orange Processions - - - - p. 141
1830, June - - (C.)—Circular Letter upon the subject of Orange Processions - - - - p. 142
(D.)—Copy of Opinion of Attorney and Solicitor-General, on the illegality of Free Mason and Orange Associations and Processions - - - p. 142
(E.)—Copy of Opinion of Attorney and Solicitor-General respecting Public Processions - - - - - - - - - - - - p. 142
(F.)—Copy of Proclamation issued in 1829, and re-issued in 1830 and 1831 - p. 143
1832, July - - (G.)—Circular Letter and Proclamation - - - - - - 1832 - p. 143
(H.)—Circular Letter and Proclamation - - - - 1833 - p. 144
(I.)—Circular Letter and Proclamation - - - - 1834 - p. 144
(K.)—Circular Letter and Proclamation - - - - 1835 - p. 144

(A.)—CIRCULAR LETTER, enclosing the Lord-Lieutenant's Proclamation for the suppression of illegal Meetings.

Sir, Dublin Castle, October 1828.

I BEG leave to acknowledge the receipt of your letter, which I have submitted to the Lord-Lieutenant. I send you, by his Excellency's command, a copy of a proclamation, which has been promulgated for the purpose of preventing and suppressing illegal meetings of the nature alluded to by you.

I am further to acquaint you, that his Excellency has taken measures for placing at the disposal of the magistrates a sufficient military force.

His Excellency has directed me to suggest to you, that if those meetings, notwithstanding the notice given by the proclamation of their being illegal, should still continue to be held, that it would be proper for the magistrates, after mildly but firmly remonstrating with the people, to proceed to read the Riot Act; and in case the assembly shall not thereupon disperse, endeavour to seize the persons who appear to be the leaders, and also to disperse the meetings, observing, at the same time, in the execution of this duty, as much forbearance as possible.

But if, after all these mild precautions, resistance should still be made, his Excellency has directed me to observe, that the utmost firmness and vigour should be displayed in enforcing obedience to the law, as pointed out in his Excellency's proclamation.

I have the honour to be, &c.

[For the Proclamation, *see* (F.) p. 143.]

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(B.)—Circular Letter to Magistrates upon the subject of Orange Processions.

(C. 7.) Orange Processions.

Sir, Dublin Castle, July 1829.

I am directed by the Lord Lieutenant, with reference to the proclamation recently issued by his Grace in council, to make this communication explanatory of the views which have dictated this measure on the part of the Government.

Upon the receipt of information relative to the late unhappy transactions in the province of Ulster, his Grace considered that a period was arrived when the lamentable consequences of such proceedings would impress upon every loyal subject the conviction of the necessity of adopting immediate and specific measures for the prevention of their recurrence. In considering the subject of the proceedings usually styled Orange processions, his Grace was disposed to give credit, in its utmost reasonable latitude, to the motives of attachment to the Protestant constitution of the country in which they are professed to originate. His Grace has felt the strongest anxiety to avoid, as far as the duties of his situation would allow, any harsh, hasty or irritating proceeding with regard to parties, whose conduct, though in his opinion dangerous to their own safety, and to the very interests which they seek to promote and defend, admits of excuse on many grounds, to none of which his Grace has neglected to advert. He was aware that the sanction of time and practice, however to be lamented, and the provocation so unsparingly afforded by long continued excesses of party violence on the part of their political adversaries, made it ground rather for regret than for any harsher feeling, that so many persons of respectable character and station should have chosen this mode of expressing attachments, political and religious, which, if displayed in a mode less objectionable, and on legitimate occasions, would prove the safety and welfare of the state.

His Grace was reluctant to doubt or to dispute that very many of the individuals who have lent their aid to such proceedings, have done so on all occasions with the best intentions, and on all these grounds, he has felt the duty of restraining them to be one of a painful description, and to be executed with the utmost leniency and attention to the feelings of parties concerned, which it was possible for him to adopt. After occurrences, however, to which, recent and afflicting as they are, it is unnecessary more particularly to allude, his Grace conceives that the legal power of the civil authorities to restrain such meetings and processions as these to which his proclamation adverts, is as undoubted as its expediency. It has never, to his Grace's knowledge, been disputed, that any assemblage not convened for those necessary purposes, and according to those forms which the law of the country points out, is illegal, if it excite reasonable terror and apprehension; and his Grace is convinced that after what has occurred in Ulster and elsewhere, no impartial man can view a party procession without that reasonable apprehension for its consequence to others, which implies no imputation on the character of any man, as resulting from personal timidity or undue regard for his own safety.

I have, at the direction of his Grace, submitted these observations to your consideration, more particularly with reference to the commonly called Orange processions; because his Grace conceives it almost superfluous to superadd any detailed remarks to the contents of his recent proclamation, bearing reference to the lawless and violent means which have been adopted by bodies of men opposed to them, and who, in language which the events of late years have unfortunately rendered but too intelligible, are very usually designated by the term Ribandmen. It is unnecessary to dwell upon the obvious necessity of suppressing the proceedings of the latter, and equally so, to point out at length that the firmness which his Grace expects from the civil authorities, should be tempered, with respect to these misguided men, with that forbearance which is due to the excited feelings of poor and uneducated, and ignorant individuals.

In the employment of the means, civil or military, which may be placed at your disposal, his Grace feels assured that every endeavour will be made, should disturbance of a serious description recur or continue, to bring the offenders within the grasp of the law, and to effect that object, whenever possible, without having recourse to a more summary exertion of the power with which you are entrusted.

His Grace has had under his consideration the propriety of making this communication in a confidential form; I am directed to observe, that as far as this expression implies a confidence on his part in the individual to whom it is addressed in his character, his views, his ability, and in the spirit in which his Grace trusts he will receive it, his Grace wishes that the term confidential may be applied to this document; at the same time he wishes it to be understood, that nothing which it contains is, according to his views, of a nature to be concealed from any one, still less withheld from those with whom you may yourself be in confidential communication.

His Grace is deeply impressed with the conviction, that the success of his endeavours for the maintenance of the public peace, must in this, as in all similar cases, rest on the co-operation of that class of individuals to whom, with a wise regard to their natural influence, and the interests which they possess in the peace and welfare of the state, its civil authority is entrusted.

(C. 7.) Orange Processions.

He relies with confidence on the active and judicious exertion of that authority under present circumstances, and feels assured that his claim on their co-operation, which he makes without reserve, will be admitted, as it is made without reference to any considerations whatever, arising out of differences of political opinions conscientiously entertained, but which cannot be allowed to have weight, where the peace of the country and the security of life and property are immediately concerned, without manifest detriment to the public good.

I have the honour to be, &c.

(C.)—Circular Letter upon the subject of Orange Processions.

Sir, Dublin Castle, June 1830.

I am directed by the Lord Lieutenant to call your attention to a subject of the utmost importance, as regards the preservation of public tranquillity in your county.

The period is approaching at which, in certain parts of the country, a custom formerly prevailed of organizing meetings and processions for the display of political or religious opinions; it is unnecessary for me to advert in detail to the lamentable consequences, which have arisen out of the observance of this practice, and which may therefore be expected to occur from a revival of it. His Excellency has every reason confidently to hope that some compensation for the calamities to which I have alluded is to be found in the effects which examples so distressing must have produced in the minds of the advocates and supporters of such proceedings. He is convinced that the conduct of the latter has very frequently originated in motives and opinions not only justifiable, but praiseworthy in themselves, and that on this account the appeal which experience makes to their good sense, and their attachment to the law, cannot be made in vain.

Impressed as his Excellency is with this conviction and satisfied that the disposition to such practices has been materially diminished by the sense of their results, his Excellency considers it to be not the less his duty to impress upon the civil authorities the necessity of co-operating in every possible exertion for the prevention of a recurrence of the practice and its consequences.

His Excellency confidently trusts that persuasion and the exercise of personal influence on the part of those authorities will, in the present state of public feeling, be found adequate to the attainment of this important object, if there be any reason to apprehend that this opinion be unfounded, as regards your particular neighbourhood, it is important that his Excellency should obtain timely information on this head.

His Excellency requests you will be pleased to communicate these sentiments to the magistrates, and other influential gentlemen in your county.

I have the honour to be, &c.

(D.)—Copy of the Opinion of the Attorney and Solicitor General on the Legality of Freemason and Orange Associations and Processions.

We are of opinion that freemason societies fall within the provisions of the 3d section of the 6th Geo. 4, c. 4, and that they do not come within any of the exceptions in section 8 of that statute, and consequently that such societies are illegal. It necessarily follows from this, that processions of the members of such societies as such, are illegal. But independently of the illegality which attaches to such processions as growing out of the illegality of the associations themselves, we are of opinion that it having been satisfactorily ascertained upon oath that such processions are likely to lead to consequences dangerous to the public peace, they may lawfully be prevented.

W. C. Plunket.
H. Joy.

The foregoing opinion applies equally to Orange Associations and Processions.

W. C. P.
H. J.

(E.)—Copy of Opinion of Attorney and Solicitor General respecting Public Processions.

We have read a statement of different processions which have taken place within the last two years, including processions such as stated in the case now laid before us. They appear to have been in many cases attended with loss of life, and in all with danger to the public peace. We therefore conceive it to be the duty of the magistrates to use every legal means to repress so great an evil; and we are of opinion, that every justice of peace, on receiving information of any such intended procession, and being satisfied, on such information, that it

is

is likely to endanger the public peace, will be warranted in taking the necessary steps for the preservation thereof, and may arrest the persons who shall be found so assembled, or about to assemble, and hold them to security to keep the peace; and we do humbly submit to his Excellency the expediency of notifying to the magistrates, in the several places where such meetings are likely to take place, the state of the law on the subject, and the necessity of acting under it.

W. C. Plunket.
J. Joy.

(F.)—Copy of Proclamation issued in 1829, and re-issued in 1830 and 1831.

Apprehensions having been expressed that in particular districts of Ireland meetings and processions are likely to take place on the 12th instant, contrary to the proclamation issued by his Grace the Duke of Northumberland, then Lord Lieutenant, in council, on the 18th July 1829, which is still in force, his Excellency the Lord Lieutenant has thought it right to re-publish the said proclamation. His Excellency adopts this as a measure of precaution; and at the same time that he is determined to exert the full powers of the Government for the suppression of such assemblies, he trusts that the loyalty of the King's subjects, evinced by their voluntary obedience to the law, will make the exertion of those powers unnecessary.

Dublin Castle, July 4, 1831.

By the Lord Lieutenant and Council of *Ireland*.

Northumberland. A PROCLAMATION.

Whereas in certain counties of this part of the United Kingdom meetings of large numbers of His Majesty's subjects have lately been held, for the avowed purpose of commemorating political events, or for the manifestation of particular opinions, political or religious; as also for the purpose of resisting, by violent and illegal means, such commemoration or manifestation, to the great danger of the public peace, and the well-founded terror and dread of His Majesty's peaceable and well-disposed subjects:

And whereas such meetings have, in recent instances, been attended with loss of life to some, and personal injury to other individuals attending them:

And whereas we have reason to apprehend a recurrence of similar assemblages:

And whereas many well-affected but unwary persons may be seduced by divers pretences to attend the same; we therefore, the Lord Lieutenant and Council, being resolved to put down and suppress such meetings, and to prevent the recurrence thereof, have thought fit to issue this proclamation, solemnly and strictly warning all His Majesty's liege subjects from henceforth to discontinue the assembling, either for the purpose of assisting in such meetings or assemblies as aforesaid, or for illegally resisting the same: And do charge, and earnestly exhort them, to the utmost of their power, to effect the discontinuance of all such meetings and assemblies, and thereby to prevent the dangers and mischief consequent on the same: and being determined strictly to enforce the law and the penalties thereof against persons offending in the premises: Do charge and command all sheriffs, mayors, justices of the peace, and all other magistrates, officers and others, whom it may concern, to be aiding and assisting in the execution of the law, in preventing such meetings and assemblies from being held, and in the effectual dispersion and suppression of the same, and in the detection and prosecution of those who shall offend in the respects aforesaid.

Given at the lodge in His Majesty's Park, the Phœnix, the 18th day of July 1829.

Ant. Hart, C.	W. Dublin.	Gort.
Plunket.	Wm. M'Mahon.	G. F. Hill.
John Radcliff.	H. Joy.	F. Leveson Gower.
John Byng.		

God save the King.

(G.)—Circular Letter and Proclamation: 1832.

Sir, Dublin Castle, 9th July 1832.

The approach of the 12th of July, and the probable recurrence on that day of those party processions by which so much mischief has been repeatedly occasioned, have induced his Excellency the Lord Lieutenant to desire me to direct your attention to the Proclamation of the Duke of Northumberland, issued by his Grace on the 18th July 1829, and which his Excellency caused to be republished on the 4th July 1831. The terms of that proclamation are quite sufficient to point out the duty of all His Majesty's subjects, on such occasions and events as are therein specified; but his Excellency would impress upon the minds of all persons holding authority under His Majesty's Government, the indispensable duty of conforming to its injunctions, and point out, in an especial manner, to the magistracy, the impossibility of reconciling any violation of them with the due or faithful observance and fulfilment of their official obligations.

I have, &c.

(signed) *William Gosset.*

(C. 7.)
Orange Processions.

(H.)— Circular Letter and Proclamation: 1833.

Orange Processions.

The following is a copy of a circular Letter addressed by Sir William Gosset to the Chief Constables, ordering their attention to the preservation of the peace on the 12th instant:—

"Sir, "Dublin Castle, 28th June 1833.

"The Lord Lieutenant entertains a confident hope that there will be no recurrence, on the approaching 12th of July, of those assemblies which have proved so destructive of the peace of the country, and so inconsistent with its real interests.

"His Excellency directs me to say, that should he be disappointed in that hope, by the continuance of a custom, not only mischievous in its effects, but in violation of the law, the utmost aid of the Government will be afforded for the suppression of such assemblies.

"The constabulary under your command should be directed to be most vigilant on the day in question, and to note the persons taking a part in such illegal assemblies, and what is said and done, with a view to the prosecution of the offenders.

"This caution applies not only to the 12th of July, but to all other periods on which the demonstration of political or religious feelings may, by any party, be attempted.

"I am, Sir, &c.

(signed) "*William Gosset.*"

(I.)—Circular Letter and Proclamation: 1834.

Dublin Castle, 23d June 1834.

Although the Lord Lieutenant has every reason to entertain a confident expectation that no violation of the law will be attempted on the approaching 1st and 12th of July, by a recurrence of those party processions which have been so destructive of the peace of the country, and of the harmony which should exist between all classes of His Majesty's subjects; yet his Excellency feels it his duty, upon a subject so intimately connected with the welfare of the country, to convey the expression of his ardent hope and earnest desire, that there will be, not only on those days, but on all others, a total cessation of all party and illegal assemblies.

Should any indication lead to the belief that processions are contemplated in your district, his Excellency feels assured that you and the other authorities will use all the influence you possess to dissuade the people from a proceeding so improper and so dangerous to themselves.

If, notwithstanding your endeavours, such assemblies take place, it will be your duty promptly to cause their dispersion, and to mark the offenders, in order that they may be brought to justice; for it is his Excellency's firm determination to suppress all such manifestations, by the enforcement of the law.

I have, &c.

(signed) *Wm. Gosset.*

To Lieutenants and Deputy Lieutenants of Counties in Ireland. } (Circular.)

(K.)—Circular: 1835.

The following Circular has been addressed, by command of his Excellency the Lord Lieutenant, to the magistracy of Ireland:—

"Sir, Dublin Castle, 19th of June 1835.

"The Lord Lieutenant prefers to any public proclamation the present mode of calling your attention to the peculiar vigilance which occasion may shortly require, in the exercise of your magisterial duties. His Excellency takes this course, because he feels assured that your own inclination, as well as the interest you must naturally take in the peace and welfare of your neighbourhood, must induce you to discourage proceedings so destructive of both, whether they have reference to the celebration by procession or other illegal display of the anniversary of an exclusive political event, or of an exclusive religious observance.

"Should you, therefore, have reason to believe that it is the intention of any party to make a display of the nature of that to which I have adverted, you will explain to them that such a proceeding has a direct tendency to provoke a breach of the peace, and is a violation of the law, which it is his Excellency's determination to support by every means in his power.

"I have, &c.

"*Wm. Gosset.*"

(D.)

PAPERS respecting the Affairs at *Maghery*, *Portadown*, *Tanderagee*, &c.

Appendix (D. 1.)

PAPERS respecting the OUTRAGE at *Maghery*, on the 22d November 1830.

Sir, Lurgan, 28th November 1830.

(D. 1.) Affairs at Maghery, Portadown, Tanderagee, &c.

IT becomes my duty, having the honour of holding His Majesty's commission of the peace for the counties of Armagh and Down, to make to you a report of a very serious outrage which took place at a small village on the borders of Lough Neagh. The village is situate on the river of Blackwater, which divides the county of Armagh from Tyrone; the village being in the county of Armagh. There is a ferry across the river at the village, and about three miles higher up the river there is a private toll-bridge called Verner's Bridge. It appears a number of Orangemen marched from Killyman, in the county of Tyrone, over Verner's Bridge, on Friday the 19th instant, and through the village of Maghery to the Banfoot. On going through the village, the inhabitants of which are all Catholics, the Orangemen were joined by the inhabitants, who asked for several tunes, which were readily played by the band, which pleased the inhabitants so much that they walked with the Orangemen to the Banfoot, nearly two miles. The Orangemen crossed the Banfoot ferry, and the inhabitants of Maghery returned home in high good humour. The Orangemen proceeded to the house of a man called Richard Wilson, and being there joined by many brother Orangemen of the townland, they proceeded to hold a lodge, or as it is called, "a black sitting." John Richardson, of Killyman, acted as master, and Alexander Murphy, junior, acted as secretary. The party remained together all night; in the morning it blew a perfect hurricane, and the boats could not cross the ferry at the Banfoot, and the Orangemen were detained until the gale abated. They arrived at the village of Maghery about ten o'clock, and were met by some of the inhabitants who asked them to play "Patrick's Day," which was refused, and the band immediately began to play "The Prussian Drum, or more Holy Water," upon which a skirmish took place. The Orangemen were beaten, their drums broken, and some hats lost. The Orangemen retreated to Verner's Bridge, and it so happened that an inspection of Colonel Verner's yeomanry corps was held that day. The Orangemen applied to the corps to come with them to help to wreck Maghery; this however was prevented by the interference of Colonel Verner and the officers of the corps, and the beaten Orangemen returned home. On Monday morning a large body of armed men marched with drums and fifes past the house of a Mr. Boretree, who is, I believe, an officer in the Killyman yeomanry corps, who states he remonstrated with the party, who declared their intentions to be to wreck Maghery. Not being able to stop them, he rode off towards Verner's Bridge, and called upon Captain Lloyd, of the Killyman yeomanry corps, to interfere to stop the party, and rode on to the house of Colonel Verner to apprize him of the party; the colonel immediately repaired to the bridge and locked the toll-gate, to prevent the party from crossing the bridge; the colonel then asked the men what they wanted, and they said their drums had been broken at Maghery, and they had been beaten, and they would have satisfaction. Colonel Verner said the damage should be paid, but the mob said "We must know that the Maghery people do pay," and deputed two of the party to go to Maghery with Colonel Verner, to get paid, the others agreeing to disperse and go home. Colonel Verner when he had got the two men who were to accompany him, went to his own house to get his breakfast, and as soon as he was gone the armed party broke over the gate and proceeded to Maghery. Colonel Verner overtook them upon the road, and, as he states, did every thing in his power to prevent the party from proceeding, but without effect. On the party marched, and when they arrived at Maghery commenced operations by breaking the doors, windows and furniture of the inhabitants; in fact completely wrecked the village in the presence of Colonel Verner and some of the constabulary police, and having done, marched off with drums beating in regular order, Captain Lloyd at their head, and the rear brought up by Colonel Verner. No attempt was made by Colonel Verner, though a magistrate of the counties of Armagh and Tyrone, to take a single prisoner, nor did he bring one of his labourers to assist in intercepting the return of the party over the bridge, as he might have done, but allowed the party to march in triumph over the bridge and home to Killyman, nor has a single individual been arrested or held to bail.

A meeting of magistrates was held on Thursday, at Maghery; present, Mr. Atkinson of Crowhill, Lieutenant-colonel Verner, Lieutenant-colonel Blacker, Mr. Hardy, Mr. Forde, Mr. Algeo, Mr. Woodhouse, and myself. Only three or four of the inhabitants could be got to come forward, and not a single individual was identified or a name mentioned, though the party marched publicly with drums and fifes in the open day, through three miles of the

(D. 1.)
Affairs at Maghery, Portadown, Tanderagee, &c.

county of Armagh, and two or three of the county of Tyrone. Colonel Verner stated he did not know one of the party, and Captain Lloyd swore he did not know a single individual. No resolutions were come to by the magistrates, nor was any reward offered, nor in fact the slightest exertion made, save only to establish by evidence that a riot had taken place on Saturday, and that the Orangemen had been beaten upon that day.

Such being the termination of the meeting, I felt it to be my duty to ascertain who were the individuals who came to the Banfoot on Friday, and I give you their names, as I stated: John Richardson, of Killyman, acted as master; Alexander Murphy, jun., of Derryinver, acted as secretary; one Blevins lives at Canary, near Colonel Verner's; John Ash, bugle player to Captain Lloyd's yeomanry corps; Charles Rice, William Rice, Richard Dilworth, Andrew Watt, Edward Rice, William Simson, and John Walker, of Killyman. Hagleton, of Killyman, played one of the bugles; Leslie, from Moy; a soldier upon furlough, with his side-arms, named John Williamson; all these and many others, marched through Maghery on Friday, and returned through on Saturday morning. The inhabitants of Derryinver, who met county Tyrone men, are all tenants of Charles Brownlow, Esq.; they sat in the lodge from Friday night, but as far as I can ascertain, did not cross the Banferry on Saturday or Monday; their names are, Richard Wilson, John Wilson, John Addy, Edward Addy, Edward Wilkinson, John Horker, Alexander Murphy, Robert Murphy, Richard Murphy, John Murphy, Mr. William Walker, William Wilson, William Richardson, James Turkington, John Hewit, William M'Clelland, John M'Kinny, John Richardson, Jonathan Richardson, Alexander Humphrys, William Carrol and Samuel Wright, all living in the townland of Derryinver.

I have given as full and as an impartial report as in my power, and I have given the names in order that his Excellency may have no difficulty in getting an investigation set on foot, if it is his pleasure so to do; and I am sure if the recollection of the transactions of Glenoe are not effaced from his Excellency's memory, he will feel it due to the peace of this district to have a full and careful investigation into this transaction.

I need scarcely add if my services are in any way required, I am ready and willing to obey any orders it may please his Excellency to give upon this or any other subject connected with the peace of my neighbourhood.

I have, &c.,
Wm. John Handcock.

Hon. E. G. Stanley,
The Secretary for Ireland.

Sir, Carrick Portadown, November 27th.

I HAVE the honour to transmit herewith a statement of an outrage committed at Maghery, in this county, on the 22d instant, carefully compiled from the depositions taken at a meeting of magistrates held on the spot on the 25th instant, and entrusted to me for that purpose. These depositions remain in my hands, should they be required; the difficulty of procuring evidence caused them to be taken with such a want of regularity, as to the consecutive order of facts, that it is conceived the enclosed statement will be the best mode of bringing the transaction, in all its details and bearing, at once before the eye of His Majesty's Government. I regret to say that I do not consider the state of public feeling in this part of the country improved.

I have, &c.

W. Gregory, Esq. (signed) *W. Blacker*, Lieut.-Col., J. P.,
County Armagh.

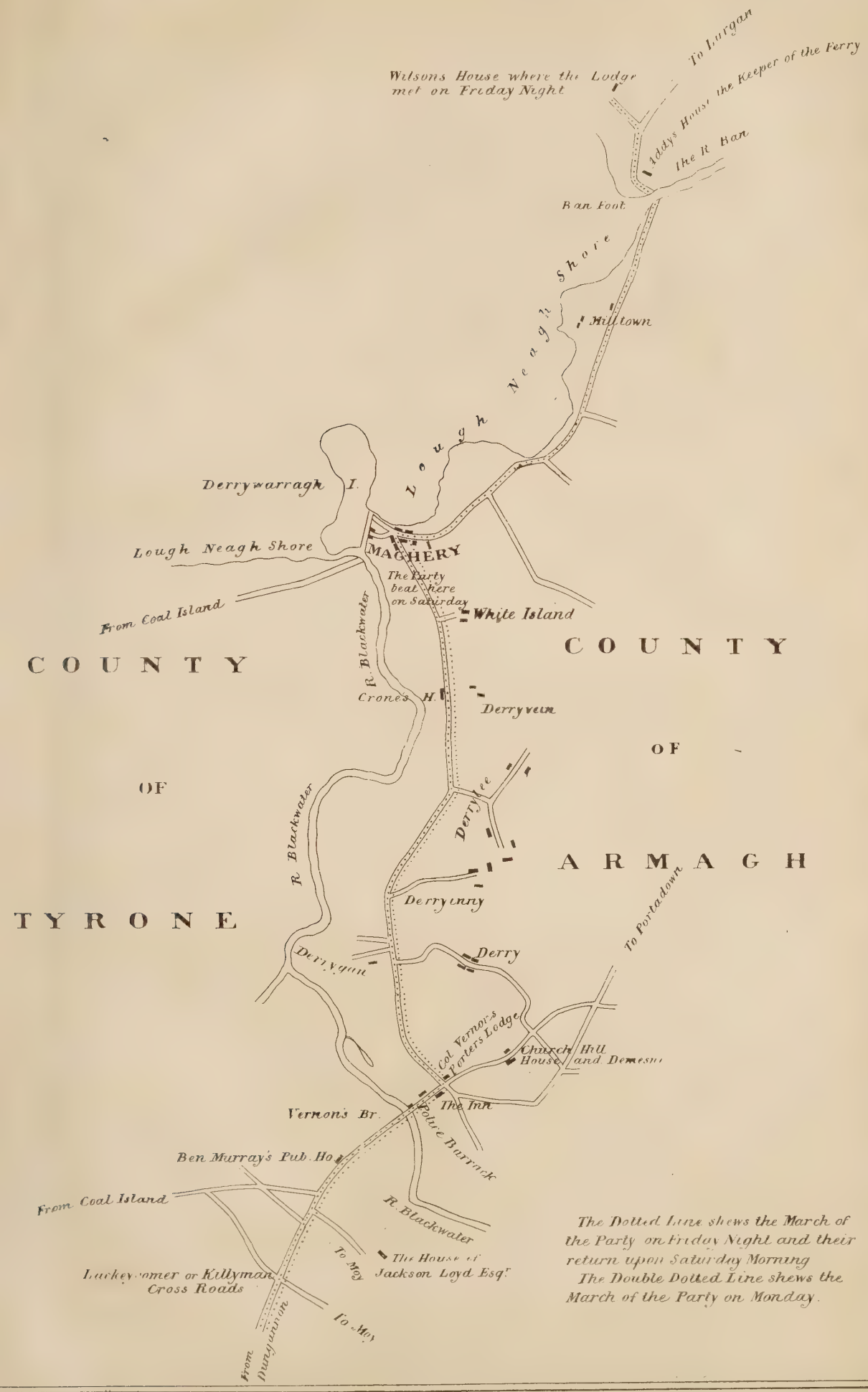
STATEMENT relative to the OUTRAGE committed at *Maghery*, county *Armagh*, on the 22d November; compiled from the Evidence taken on the 25th instant, before the undernamed Magistrates; viz. Joseph Atkinson, Esq., senior J. P., in the chair; James Forde, Esq., Roughlan; Curran Woodhouse, Esq., Portadown; Lieut.-Col. W. Verner, Churchhill; William Algeo, Esq., Armagh; John Hardy, Esq., Loughgall; Lieut.-Col. W. Blacker, Carrick; Hon. E. Wingfield, Bunburt; W. J. Handcock, Esq., Lurgan.

THE appearance of the village being sufficiently demonstrative of an attack of the most destructive kind having been made upon it, almost every house being more or less damaged, windows broken and furniture destroyed, the magistrates proceeded to collect such evidence as might throw the best light upon the transaction, as well with regard to its origin as perpetration; in this they met with considerable difficulty, from the circumstance of the inhabitants of the village having nearly all withdrawn themselves, though notice had been given them of the intended investigation; nor could the exertions of Mr. Algeo, agent to Lord Charlemont, whose property the place is, procure the attendance of more than two or three of them.

Mr. Algeo's report.

The general facts of the entire affair appear, from the evidence, to be as follows: On the evening of Friday, the 19th, a party of from 20 to 25 persons (Protestants) from the adjoining county of Tyrone, proceeded through Maghery to the Banfoot, distant about two miles, where they remained all night. No dispute or collision of any kind appears to have taken place on Friday; on the contrary, they appear to have been escorted along the road by several of the village people; they had with them some drums and fifes, which they played

Evidence of James M Geary, pensioner.



476. Ordered by The House of Commons to be Printed 6 Aug.t 1835 S. Arrowsmith Lithog.
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SKETCH

of the Road leading from

MONRO'S CORNER, IN Co TYRONE,

to the

VILLAGE OF MAGHERY IN Co ARMAGH,

a distance of 5½ English Miles.

Party met at A
Party stopped between B and C
Again stopped at D
And again at E

REFERENCE TO THE VILLAGE OF MAGHERY

No 1. H.s McGeary's house
2. John Campbell
3. John Connelly
4. H. Campbell
5. Joseph Campbell
6. John Campbell
7. Mrs Campbell
8. Owen Campbell
9. Barnard Campbell
10. John Campbell
11. Daniel Campbell

Drawn by William Lutter 14th March 1835.

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played by the way. They reached the village again on Saturday, on their route homewards. It does not appear that there were any party tunes played by them, until an inhabitant of the village (James M'Geary) desired them to play "Patrick's Day," which they took offence at, and commenced playing a tune called "The Prussian Drum." A man, named Joseph Campbell, desired them to desist, and, as it is stated, broke their drum; a skirmish ensued, and the party were driven out of the village, some of them severely beaten, and with the loss of hats, drums, &c.

Evidence of John Campbell.

Colonel Verner's information who saw them.

On the morning of Monday, the 22d, Mr. Lloyd, of Killyman, county Tyrone, was informed by his servant that a body of people were coming along the road near his house, on their way to Maghery, for the purpose of destroying it. Mr. Lloyd met the party on the road and endeavoured to stop them; they told him that their object was to get their drums repaired, and that done they would return home peaceably. Mr. Lloyd then returned to his house and mounted his horse in order to proceed to Colonel Verner, at Church-hill; on reaching Verner Bridge, he found Colonel Verner there, that gentleman having been already apprized of the approach of the party by a respectable person from Tyrone, Mr. Boutrie. The toll-gate was locked, and Colonel Verner was addressing the party then on the bridge. Colonel Verner proposed that two of their number should be sent to Maghery, and that he would accompany them, with a view to settle matters; this they agreed to, and the two persons were directed to proceed with a sergeant of police to Maghery, while Colonel Verner, accompanied by Mr. Lloyd, went home for his horse, in order to follow them. As soon as Colonel Verner was gone, the party forced their way over the bridge, and were overtaken by Colonel Verner and Mr. Lloyd, on the road to Maghery. On Colonel Verner expressing his great displeasure at their breach of agreement, they consented to stop until he and Mr. Lloyd should return from Maghery; the two gentlemen then hastened to the village, when Colonel Verner called upon such of the inhabitants as he could find to come to him; a few did so, and while he, Colonel Verner, was speaking to them, he observed the party at the entrance of the village. He requested Mr. Lloyd to stop them, which that gentleman attempted to effect, but the crowd pressing on, Colonel Verner ran down to his assistance, remonstrated and read the Riot Act, but to little purpose, for though it appears that the main body remained on the road, a considerable number detaching themselves from it, made their way into the village by the fields, commenced and carried on the work of destruction. Colonel Verner appears to have used every exertion to put a stop to the outrage; they entered many of the houses and dragged the assailants out; he was at one period in great danger, a ruffian having presented a gun at him; the actual perpetrators of the outrage are described as being for the most part young lads in very ragged apparel; they were variously armed, some had fire-arms, others old bayonets on sticks, some plough irons; one shot was fired in the house of Mrs. Campbell, and three guns are stated to have been snapped at James M'Geary; some wearing apparel, house linen and money, were carried off, and also two guns, one the property of Mrs. Campbell, which she had secreted on board a lighter, but was forced on oath to discover where it was; the other from the house of James M'Geary, a tenant of Colonel Verner, near the village, which house also received much damage. Mrs. Campbell was wounded in the head by a young ruffian with a rusty bayonet fixed on a stick; a quantity of spirits and ale was spilled in her house, but none drank. She keeps the principal public-house in the place; she and her daughter received much abuse. Several other persons were struck with the buts of guns, and attempts were made to set fire to two or three houses by placing lighted coals in the thatch and bedstraw. The party left the village about 12 o'clock, and went off to the county of Tyrone with drums beating.

Mr. Boutrie's account.

Mr. Lloyd's evidence.

Evidence of John Campbell.

Evidence of Mr. Lloyd.

Col. Verner's account.

Evidence of John Campbell, James M'Geary and Mr. Lloyd.

Evidence of Elean. Campbell and Cath. Donnelly.

Evidence of Elean. Campbell and Jas. M'Geary.

Evidence of Jas. M'Geary.

Evidence of Thos. Hogan and Cath. Donnelly.

Evidence of Mr. Lloyd.

Such are the facts elicited by the magistrates.

Two questions now arise, first, as to the means of discovering the delinquents, of whom the persons who could be procured to give evidence denied any knowledge whatever.

When so many and such a description of persons were implicated, it is scarcely to be expected that all will be found proof against a good reward and a promise of pardon, on prosecuting to conviction, or giving private information which may lead to conviction, if promptly offered by the Government.

Secondly, as to the district liable to be assessed for the damages, as usual in cases of malicious injury.

It being quite clear that not an individual of the county of Armagh was in any way connected with the outrage, it would ill consist with justice to lay any burthen on that county; and the query is, as to the steps necessary to be taken by the sufferers in order to recover the amount of their losses from the county of Tyrone, from which the violators of the law openly and notoriously came.

These considerations are respectfully submitted to the consideration of the Government.

As some of the newspapers have introduced the name of the yeomanry into the very erroneous accounts of this affair, it is but justice to mention, that there is not a tittle of evidence tending to implicate that force. Mr. Lloyd, who commands the Killyman yeomanry, declared on oath that that corps has not any drums belonging to them, nor did he know any of the persons concerned in the outrage.

Compiled from and carefully compared with the evidence.

(signed) *William Blacker*, Lieutenant-Col., J. P,
County Armagh.

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Affairs at Maghery, Portadown, Tanderagee, &c.

PROCEEDINGS of a Meeting of Magistrates, held at *Maghery*, in the County of *Armagh*, November 25th, 1830.

Present, Joseph Atkinson, Esq.; William Blacker, Esq.; Curran Woodhouse, Esq.; James Forde, Esq.; William Verner, Esq.; William John Handcock, Esq.; John Hardy, Esq.; Hon. Edward Wingfield; W. W. Algeo.

Joseph Atkinson, Esq., in the Chair.

Eleanor Campbell, being examined on oath, saith that she lives in Maghery; was there on Monday last; harm happened her property on that day; can describe what happened; a parcel of boys broke her windows between 11 and 12 in the forenoon; they said they would wreck all in her house; took house-linen; broke her furniture; took a gun; were nearly an hour doing it; they came three times into the shop, and took money and papers, and spilled both beer and spirits; did not drink any; thinks there were about 14 or 15 attacked her house; she had secreted the gun; was forced to swear respecting it; declared it was on board a lighter; infant and daughter abused and struck; received a bayonet wound by a lad, poor-looking, ill-dressed, with a leather cap pulled over his face, he had a rusty bayonet on a stock; another person in a blue coat forced a gun through the loft, which shot she supposed was for her son, who had retired to the loft; heard they were coming, but was not afraid, because the colonel was with them; thought they were yeomanry; heard there was a row at the other end of the village on Saturday, but did not see it; would not know any of the mob; the little boys did most harm; the lad with the bayonet hit her with a stone afterwards on the head; never remembers having seen or known any of the party; they said they were all Killyman boys.

Sworn to and signed
Eleanor Campbell.

John Donnelly, being duly sworn, deposeth that he lives in Maghery; was absent at Blackwater; found his house wrecked when he returned on Monday.

Catherine Donnelly, duly sworn, deposeth that she lives in Maghery; remembers Monday; saw a parcel of men armed, coming into the village, with guns and bayonets, some tolerably well dressed, others the reverse. Mrs. Campbell's daughter had heard they were coming, and ran out with her children, and put them on board a lighter; saw them break her mother's house; went to her own house and found her things burning; she left her house barred and secured; was in the village on Saturday; did not know any of the party, or would not be able to recognize them; saw a party, about 40 in number, with drums and fife, pass on Friday and return on Saturday about 10 or 11 o'clock in the morning; did not see anything happen there, but heard they were hurt; heard they were beaten, and drums broke; could not distinguish what tune they were playing.

James M'Geary, sworn, saith he lives in Derryane; was in his own house on Monday last, next townland to Maghery; his uncle is tenant to Col. Verner, where he lives. A party of men came into his uncle's house, broke his furniture and five windows, and took a gun, and put a lighted coal into the bed-straw. Thinks the family would have been murdered, but for the interference of Col. Verner, who came up; informant was beat and abused; saw others beat also; himself was struck with the but of a gun; does not know any of them; is not certain whether he could recognize; they said nothing by which he could know from whence they came. Saw the party first going into Maghery, and afterwards they attacked him on their return; his house is about half a mile distance; the party approached from Verner's-bridge; was not in Maghery on Saturday; heard there was a skirmish, but did not hear drums.

John Campbell, saith, lives in Maghery. On Monday, saw a party coming into the village about 10 or 11 o'clock; appeared to come by Verner's-bridge, and they had arms, guns, and bayonets; saw them at their first coming into the village; thinks there were 100 anyway, perhaps 200; saw them attack one M'Geary's house (John and widow), at the entrance of the village; saw Billy Fox on horseback, who said the mob could not be kept back; informant was standing in the street with Henry Campbell and Col. Verner, Patrick Magee, and another man; went afterwards amongst the mob with Col. Verner's horse; could not get into his own house; made his escape into James Magee's house; saw Col. Verner telling them to come out of that, for they had done harm enough; positively swears that he does not know any of the party, nor could he recognize them; his own house is within a few doors of Magee, and was destroyed also. Was in Maghery on Saturday last; saw a row as he was building a cock of hay; a party of men came beating drums; they came from the Banfoot; played the drums opposite Donnelly's; saw his brother Joe; desired them to quit playing that tune, and go out of the town peaceably; could see him making his hay-cock, and saw them afterwards engaged in a skirmish at the end of the town; went a piece down the road, but did not get to the row; heard afterwards a drum was broken in the skirmish; thinks there were 20 or 30 persons with the drum; had seen the same party going to Banford on Friday last.

It appears no party tunes were played up to this time; the change took place on M'Geary calling for "Patricks Day."

Thomas Hogan, sworn, deposeth that he lives in Maghery; was here on Monday last; saw a great party of men, as he was looking out of his window, enter the village; some of them broke his house-windows and furniture; did not know a man put a lighted coal into the

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the bed-straw; a man put a lighted coal into the thatch of the next house; a man struck him in the eye with the but of a gun; was in the village on Saturday; saw a party going away to Verner's-bridge, and heard a huzza, and another party returning into the village, but does not know anything about the skirmish; they, on Monday, set ten hanks of yarn on fire.

James M'Gary, pensioner, saith he lives in Maghery; his house was wrecked on Monday last; does not know any of the party; they snapped three guns at him; was in his own field then; was in the army; has a pension. On seeing party left his house, returned to the house; was told not to return, or he would be murdered; ran and hid in the moss, behind a turf clump. Saw a party on Saturday, asked them to play "Patrick's Day;" they would not, but played other tunes; there was a row then, and the drum was broke; they played "Croppies lie down," and "Holy Water;" there were about 20 to 25 with the drums; he heard only that the drum was broken. Informant knew Clements, of Cool Island, one of the party, and spoke with him, but did not see him on Monday; some were armed with plough-irons. On Friday before the same party were peaceable, received and escorted by the inhabitants; there were two small and one large drums. There was a drum beating and music on Monday. On entering heard them cry, where are the men now; heard them cheering as they departed.

Jackson Lloyd, Esq., sworn, lives in Tamnamore, county Tyrone, near the road leading from Verner's Bridge to Dungannon. On Monday morning, one of the servants informed him that a party were going to destroy Maghery. Saw a party afterwards on the road, and tried to stop them, and again tried to stop them in his own avenue; they said they were going to Maghery; they said their object was to get their drums and music repaired, and that they would go home quietly. He said he would go speak to Colonel Verner; came on, and met him, Colonel Verner, at the bridge, which was locked; heard the colonel desiring none to be allowed to pass. The colonel addressed the party on the bridge; they agreed to send two of their party with the colonel to Maghery; those two men the colonel gave in charge to a sergeant of police to go before him to Maghery. Informant and the colonel went to Churchill, and the party broke over the bridge. Informant and Colonel Verner overtook them about half way to Maghery. Colonel Verner stopped, and got into a very great passion with them for breaking their agreement; they agreed again to stop until Colonel Verner and informant returned. On entering Maghery, Colonel Verner called on the most respectable people to come till he spoke to them. While Colonel Verner was explaining with them, he addressed informant that the people were entering into the town, to go to stop them, which informant tried to do; the crowd pressed on him, and Colonel Verner ran down to his assistance, and addressed the crowd; took out and read the Riot Act, which they did not regard. Colonel Verner stopped a party in the fields; party left the road, and entered the fields, after which informant thinks they destroyed the town. Saw several houses wrecked; informant did not enter any; but Colonel Verner was in many, and tried to the utmost of his power to prevent damage; thinks the party left the town about 12 o'clock. The party beat on their music, marched towards Verner's Bridge, on their way home. Some of the party attacked a tenant of Colonel Verner's, M'Gary, uncle to the former informant, and destroyed his house.

Mr. Lloyd further swears, that he did not know any of the persons who committed the outrage; and that there are not any drums belonging to the Killyman yeomanry.

INFORMATION of *Edward M'Gary* of *Maghery*, taken before Messrs. *Kelly* and *Algeo*: 15 Dec. 1830.

States, that on the 22d of November last he was in his own house in Maghery aforesaid, in said county, when a large party of armed men entered said town, and did wantonly and maliciously break and otherwise destroy and demolish a number of houses in said town, and also assaulted some of the inhabitants therein.

Saith, that he noticed a person, whom he has been told is called William Dunn of , and a person, whom he believes is called William Kelso, of , both in said assembly, having arms.

Saith, that he was violently assaulted in his own house by some of said mob, without any provocation whatever.

INFORMATION of *John O'Neil* of *Gortgonis*, in the County of *Tyrone*, taken as before:

States, that on Monday the 22d of November last, about the hour of 11 o'clock in the morning, being on board a lighter in the canal, opposite the end of Eleanor Campbell's house in Maghery, in the county of Armagh, he saw a number of men running down the road and across the fields to the said Eleanor Campbell's house, who immediately commenced breaking the windows thereof. Deponent further saith, that he saw the following persons aiding and assisting in said outrage, namely, John Campbell, who was armed with a bayonet on a pole, Thomas Campbell, Simon Cardwell, and John Ash, who were each armed with a gun and bayonet; all of which said persons reside in the parish of Killyman, and county of Tyrone.

William Verner, Esq., sworn, went to the county of Tyrone on Friday the 19th of Nov. last, about a mile from Verner's Bridge, to visit a part of his property, accompanied by his agent, when they heard drums and fifes; asked some of his tenantry, did any of the party belong to the yeomanry; they said they did. On witness's return saw a party coming with

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drums and fifes along the road; thinks there were about 20 people in the party; they did not appear to have arms of any description; they passed on over Verner's Bridge in the direction of Maghery; this was about two or three o'clock in the afternoon; had no conversation then with the people; deponent's bailiff was along with deponent; deponent asked him, did he know anything of the party; he said they were going to Banfort to pass the evening; the party passed on over deponent's bridge in the direction of Maghery, and deponent saw no more of them at that time; knows one of the party; his name is Dawson, believes Abraham is his Christian name.

On Saturday about one o'clock deponent was preparing for an inspection of yeomanry, to be held by the brigade-major on that day; some boys came up to deponent's house, and said that they were sent to let deponent know that they were killing a party at Maghery that had passed through the day before. Deponent immediately ordered a horse to be got ready, and desired his bailiff to get ready his horse also; proceeded towards Maghery, accompanied by his bailiff; had not proceeded a mile when deponent met the party; their drums, one large drum and two small ones, were broken; and either four or five of the party were without hats, and had handkerchiefs tied on their heads; asked them to relate what had taken place. There was one man at their head who had a very respectable appearance (does not know who the man was), who said to us, he and his party were returning through Maghery; they were followed by a number of people, one of whom asked the party to play "Garryowen," and thinks "Patrick's Day;" the party declined playing either tunes, upon which a large man took hold of the large drum by one of the cords, and pulled it to get it from the man that was beating it; that when he could not succeed in forcing the drum out of the man's possession, he immediately kicked his foot through it, which seemed to be the signal for a general attack, which then commenced, and their party were very much beaten and abused. That he saw the same large man who had kicked the drum particularly active, having knocked down several of the party. Deponent thinks he asked his informant if he knew who the large man was, and he said he did not know his name, but heard it was Joe Campbell. Deponent asked, did the party strike in return; he said they had not given a blow; that their opponents were so numerous they were glad to get away with their lives, having lost their trimmings and some of their hats. Deponent saw a soldier in uniform in the party; thinks he had his side-arms; same soldier was with the same party on Friday. Deponent's informant further stated, that it was a hard matter that they could not get passing through the country without being assaulted in the manner they had been, as they offered offence to no one. Deponent had previously asked the man if his party had played party tunes, and he replied they had not, and mentioned one they had played, the name deponent does not recollect, but it was not a party tune. Deponent told him that they could not be considered to be going peaceable through the country, because they had no business to come from a different county, passing along the road with drums and fifes; that although they might not have meant to give offence, yet they could not prevent others from taking offence. Deponent further told them, that although the persons who attacked them were not justified in assaulting them, yet that they had in a great measure brought it on themselves, and deponent would recommend that the matter should rest; but if they wished to follow it up, they could get summons for the petty sessions at Portadown on the following Saturday. Some further conversation ensued, which deponent doth not recollect was of any importance relative to the matter. Deponent heard that the party, either then or at some after time, thinks it was then, were surprised at the attack made upon them, as on the day before the same people had given them a favourable reception, thinking that they were going to union lodge in the neighbourhood; a union lodge is one that is established for the purpose of having rents lowered and tithes abolished, and is composed of people of different persuasions in religion; this is the understanding of the term union lodge in the country. Deponent then returned homewards, and left the party where he met them, within a mile of his own residence; knows nothing further of what had occurred at Maghery on Saturday, except by hearsay. Deponent's bailiff, whose name is William Fox, returned with deponent. Has no doubt but the people whom he met were the same that had passed the day before.

Is positive of Dawson the soldier and the person who was at the head. On same evening, about four o'clock, Mr. O'Neill, who is lieutenant in the yeomanry, came to deponent and told him that he had heard that the party who had been beaten that day at Maghery, intended returning that same night for the purpose of having satisfaction; the brigade-major and some other person were to dine with him that day, and it was near dinner hour; deponent requested Mr. O'Neill to go to the party and remonstrated with them on the impropriety of their conduct, and to persuade them to return home; deponent also sent his bailiff and gave him similar instructions; thinks Mr. O'Neill told deponent that the party said they would not return until they had gotten their triangles and their hats; deponent did not hear anything further until the next morning (Sunday), when he heard that the party had got their hats and returned to their homes on Monday morning between the hours of eight and nine o'clock; deponent was writing in his study; heard a knock at the outside door; Mr. Boartree of Cohamon, county Tyrone, came into deponent's room and appeared out of breath, as if he was in a great hurry, and asked deponent what was to be done? About what, asked deponent. Why, said he, have you not heard of what's going forward, and what has taken place; deponent saith, he did not hear of anything being wrong; he then told deponent that there was a party proceeding along the road, in the county Tyrone, with guns, music, and drums and fifes; that he asked them where they were going; they told him they were going to Maghery; that he had tried by every means

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in his power to dissuade them from their intention, and that their reply was, that if Wellington himself was there he should not stop them; that he had sent a messenger to Captain Lloyd, and had come himself as fast as he could to deponent; deponent asked him, whereabouts the party then were, and he said, not far from Verner's-bridge; deponent took a stick, and finding he was riding, desired him to get his horse as fast as he could, and he would be down to the bridge before him; deponent got to the bridge sometime before Mr. Boartree, and on his arrival there, passed through the gates himself, and made the man in charge of the gates lock the gates and the side-door through which passengers sometimes pass; soon after Captain Lloyd rode up, and he told deponent nearly the same as Mr. Boartree had done; said he had endeavoured all he could to persuade the party to desist, but in vain.

Deponent thinks he asked Captain Lloyd if he knew any of them, and he replied that he did not. Shortly after the party arrived, the drums beating and the fifes playing, and the party marching in regular rank and file, and some of them had different kinds of guns, and some muskets; thinks there might have been from 20 to 25 guns in all; but did not count them exactly at this time; deponent could only judge afterwards; saw a pistol, a sword, and a bayonet on a stick in the hands of different people, but did not see those weapons with the party at the time they were on the bridge; deponent does not recollect the tune the party were playing, but thinks it was no party tune; deponent asked the party where they were going, and they said to Maghery, to have satisfaction for the injury done to their drums the Saturday previous; deponent then told them that they could not possibly suppose that he could permit an armed body to march through the country for the purpose which they had stated. To which they said, they did not want his permission, but to let them go.

Deponent thinks he asked them what put this intention of returning into their heads; they said they could not nor would they lie under it; that the day before (Sunday), the moment they put their noses out of their doors, it was cast up to them, the beating they had got at Maghery on Saturday. Deponent said every thing that he could to persuade the people to return to their homes; by which time some of the party in the rise called out to go on, for they would not be stopped by anybody; that they were determined to go; and if deponent would not allow them to pass over the bridge, they would go down to the river, and go over in boats; by this time deponent had made use of threats, entreaties and every means he could think of, to endeavour to prevent them, but all in vain. They said if deponent would let them go, they would *mislest* nobody. Deponent then said, what do you want? they replied, to make the Maghery people pay for the repair of their drums. Deponent asked them, in case they refused to pay, what would they do then? they replied they would compel them. To do that, then, you must do what you call mislest them. Deponent at length asked them what would satisfy them; after some time, they said 10*s.* they thought would pay them for the repairs of their drums. Deponent then told them that he himself would be answerable that they should have that sum. One of the party (not the person to whom deponent had principally spoken) shouted out, "Oh, that won't do, we want not the money to come out of the pockets of a gentleman; we must know that it comes out of the pockets of the Maghery people." By this time the party became clamorous, and very impatient to get on. Deponent said, Will you listen to one proposition from me; if you have not dependence or confidence in me that this money will come out of the pockets of the Maghery people, will you consent to send two of your body and I would accompany them to Maghery, and make the proposal? to which they agreed; but said, "Suppose the Maghery people do not agree to the proposal, what are we to do then?" Deponent replied that they could easily find out who the persons were who beat them on Saturday, and would have summonses got for them from Portadown, and he deponent should attend there himself. Deponent then desired the sergeant of police, who was standing on the bridge, to proceed towards Maghery with the two men selected, but not to enter the village, but wait at the house of Robert Clone, at the near side of the village, for deponent. Deponent then passed them through the side gate with the sergeant of police, and desired the gate-keeper not to allow any other person to pass. The name of one of the party selected was mentioned, but deponent does not recollect it; one of the men was the same who had headed the party on the Friday and Saturday previous; neither of the two men had arms with them. Deponent thinks there were 60 or 70 people assembled together when he first saw them, but thinks there were some of them that did not belong to the party; thinks there were about 40 in rank and file, but is not confident of the accuracy of his own judgment; does not know a single individual of the party except one, whose person informant knows, but not his name; his face is familiar to deponent; he saw him at Maghery; does not recollect to have seen him on Friday or Saturday, nor does he recollect ever having seen any of the party before, except on the Friday and Saturday preceding; Mr. Dawson was not there on that day.

Deponent has a strong impression on his mind, that there were some of the party present on Monday that he had seen on the Friday and Saturday preceding, but is only sure of one. Deponent exacted a promise from the party that they would not attempt to force the gates or pass the bridge, until either himself or the two men should return from Maghery; and told them to retire from the bridge and go up the road a little; and deponent first of all recommended the party to return home.

Deponent then passed Mr. Lloyd and horse through the gate, and himself also; had the gates then locked, and desired the gate-keeper on no account to allow any of the party to pass through. Deponent then went up to his house with Mr. Lloyd, and ordered his

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horse; breakfast being ready on the table, sat down there, to which having finished, and being about to let out, heard fifes and drums, and a man (Mr. Fox as deponent believes) came to tell deponent that the party had climbed over the gates, had gone off in the direction of Maghery; Mr. Lloyd and deponent then followed, going along the road, but did not come up with the main body, with the music, until they had proceeded nearly half-way from Verner's-bridge to Maghery, being more than a mile from Maghery. A great deal of conversation took place between deponent and the party; he remonstrated with them in the strongest manner possible, abusing them for having forfeited and broken their words; their reply was, that they heard that the two men they had sent to Maghery were beaten, and that he, deponent, had gone home, and refused to take any further trouble in the business. Deponent told them that they knew that to be false, and must be a mere excuse; and that if that were the case, to show their disposition to keep their words by not proceeding one inch further until he should return; upon which they gave deponent a promise that they would not proceed further. Deponent should have stated that before he left home he wrote a note to Mr. O'Neil, before mentioned, stating that he feared there would be bad work at Maghery; that he was just going off there with Jackson, Lloyd, and either to get together a few men in whom he could place confidence, or else follow deponent down, whichever he should think best; and also to send a servant with a horse, in case deponent should find it necessary to send for any assistance. This deponent did from having heard the day previous that Maghery was full of strangers from different parts, Tyrone, Chiltown, and other places, drinking and rejoicing in consequence of the beating given to those people the day before, and deponent did fear that those strangers might still be in Maghery, prepared to give opposition to the party coming down. Deponent and Lloyd having exacted the second promise from the party to remain until his return, proceeded, and heard that the Maghery people had left the place; thinks he heard this from his bailiff, (Mr. Fox); found the sergeant of police and the two men at Crone's as appointed, and then went with them into Maghery. Deponent got four of the inhabitants of Maghery collected together, with difficulty; got off his horse, and commenced explaining to them the purport of his visit; did not know any of the four at the time, but has since heard that one of them was John Campbell; and is not sure of the names of the others, but thinks he would know them, or one or two of them, on seeing them again.

Before deponent had finished what he had to say, he perceived the body advancing with music and was very anxious to prevent them from entering the village, for which purpose he left his horse in the man's hands, and ran down to meet them; before deponent could reach them they had destroyed the windows of a house by the road side, being the first on entering the village. Deponent made use of the strongest language he could utter, and held his stick up and swore that no man should pass any further on the road. Deponent found the party pressing forward; took the Riot Act out of his pocket, which he read, and endeavoured to impress on their minds that it was a thing of the utmost consequence; stating that their conduct had compelled him to that step, that he would recollect the faces of many of them, and that they had subjected themselves to the severest penalties that the law could inflict. Deponent has since heard, that at this time deponent's bailiff, Mr. Fox, who was with him, and the sergeant of police, saw one of the party cock his gun, and heard him say, to stand by, for by J—s he would put the contents of it through him, this deponent. Deponent himself did not observe it, he was at that time very much engaged and his mind occupied. Deponent was told by his bailiff and the sergeant of the police, some of the party finding that deponent would not permit them to pass on the road, took into the fields to their left, which deponent endeavoured to prevent, but found it impossible to attend to those on the road and those in the fields, and therefore thought it would be better to prevent the main body from advancing, which, with the assistance of Mr. Lloyd, deponent succeeded in doing. The party that had gone across the fields went in the direction of Mrs. Campbell's, where, deponent is informed, they destroyed hers and other houses. Deponent did not go down there during the day; deponent always kept the main body in his view, in case they should attempt to advance, and several amongst the party appeared to pay every attention to what deponent said, and did not advance into the village at all; the population on both sides of the road from deponent's residence, came out from their houses, and some came down to the entrance of the village; but deponent did not see any person he knew on the county Armagh side of the river, take any part in the destruction of the village, but deponent did see a man of the name of Killpatrick, most actively employed in endeavouring to protect the properties of the people, and believes that the said Killpatrick risked his life several times. Killpatrick is a smith who works for deponent and lives near Churchill. There was one man with a bayonet on a stick, and who in consequence of Killpatrick having laid hold of him, as deponent believes; deponent heard him swear that he would run it (meaning the bayonet) into any man that would grasp him, even if it were Verner (or Colonel Verner) himself. Deponent asked him what it was he said, and to repeat it; to which he replied that he did not speak to him, this deponent. Deponent said, that if he dared to make use of such language to him he would lay the stick over him as long as he was able, and did hold it up over him; about this time the party came up from the direction of Mrs. Campbell, and commenced destroying the house next to where deponent was; deponent endeavoured to prevent them as far as he possibly could, and in several instances dragged the people out of the houses; in one instance a man came to deponent whom he does not recollect, and told whatsomever of the people that were putting things in their pockets. Deponent immediately rushed into the house, and seized one fellow by the collar and dragged him out, and searched him in the road; he

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had nothing in his pockets, however, but an old black silk handkerchief, that he said he had taken off his neck; nor did deponent see any articles whatsoever of any description in the possession of, or taken by any of the party on that day, except what he afterwards heard was the barrel of a gun, which he saw a man put under his coat. Deponent thinks that several times he pulled the same people out of different houses, and when he had pulled them out by the doors, they would enter at the windows. In one instance there was one door the party attempted several times to force, and deponent pulled them away, several times put his stick against them, laid it across their faces; it would have been dangerous to have struck them. Deponent prevented them from forcing in. One of the men took a large stone in both his hands, and flung it at the door, which deponent seeing him do, placed himself against the door with his back to it, and thereby prevented him from smashing it with the large stone. Deponent was particularly anxious to prevent that door being forced; that thinking there were people inside who would be injured if they broke in. About this time the party had come nearly to the place where the main body were, and deponent finding that they continued re-entering the houses, said to them, "For God Almighty's sake will you never be satisfied; do not you think that you have done injury enough;" and many other such expressions, to endeavour, if possible, to get them to leave the place. When they were all nearly collected together, some of them ran up the hill to a house nearly on the top of it. Deponent desired Mr. Lloyd to make the music play, and to proceed along the road, in order to attract the attention of the others who had gone up the hill, and induce them thereby to return when they should see the others moving on. Some of them ran across the bog from Maghery towards a hill called the White Island, upon which there are three or four houses, also the property of Lord Charlemont. Deponent being convinced that they also would be destroyed unless he devised some means of saving them, he desired his bailiff and some others to run up as fast as they could and tell the people that the inhabitants of those houses were quiet and peaceable people, unconnected with Maghery, and deponent placed himself at the bottom of the road which leads up there, to prevent any more of the party going there. Deponent then went himself and stood opposite one of the houses, to prevent the people as they came down doing any injury. The proprietor of one of the houses, an old man, said "We are quiet people, and had nothing to do with what took place on Saturday; the persons who beat the party are living in Furze: you see the cattle." Deponent requested the old man to hold his tongue, as if he was heard by the party, they might go down and ill-treat the people concealed. Deponent then returned to the road, and having walked to the party who had all joined together, and having reached the house of Robert Crane, deponent saw some of them run up the road immediately opposite; deponent galloped on as fast as he could, to see what they were about, and before he could get up to them they had destroyed the house of a tenant of his own, of the name of M'Garry. Returning from that house, deponent saw the man with the barrel of the gun under his coat. When deponent had arrived at M'Garry's house, a man with his gun cocked was in the act of presenting it through the window; deponent struck him with his stick, upon which he ran off and joined the rest of the party; deponent does not know who the man was; would not know him again. Deponent believes that there were several people in the house at the time, who are inmates of it; there was another man who broke the window with a stick, and deponent struck him over the head with his stick: the party then, accompanied by Mr. Lloyd, sometimes at one side of them and sometimes in front, deponent requested him not to leave them until he saw them away over the bridge; deponent followed in their rear as far as his own gate: before he arrived there he saw them completely over his own bridge, with their music playing, returning by the road they came. When deponent got home it was between one and two o'clock; he was accompanied homewards by Mr. O'Neill, who had arrived at Crone's house and waited there for deponent. Deponent thinks he could identify six or seven of the party who committed the outrage, and believes there were not more than 20 men and boys altogether who did the damage, more than two-thirds of the party never having entered the village at all. Deponent did not see a man from the county Armagh side, that he knew, do or join in doing the damage, and is firmly convinced that all the damage was done by men from the county Tyrone. One large man with sandy whiskers, with a gun in his hand, stayed with the party and himself, to keep the men from going in; deponent believes that the men and boys he saw entering the houses and doing the mischief came and went over the bridge. Before deponent left home to go to Maghery, just as deponent was going to mount his horse, after breakfast, the gamekeeper asked deponent if he should take his gun; deponent desired him to do so; deponent was anxious to have some person with him on whom he could depend, in case he required assistance; the gamekeeper went down and remained at the entrance to the village, but took no part whatever in the transaction of the day; nor did he enter the village at all that day; his name is John O'Neile, gamekeeper to deponent. Deponent Butler, Reynolds, and Gardener, Thomas Billsland, they also went down, but had no arms of any description with them; they went down about the same time the gamekeeper did, they also remained at the entrance to the village, and took no part whatever in the proceedings; at one time of the day deponent Butler came to deponent and caught hold of him by the arm, and begged of defendant, for God sake, not to go into the houses, as deponent would expose himself to great danger by so doing, from the people who were destroying the houses. Deponent saw a man of the name of Robert Neele at the entrance to the village, he was standing with the party that was standing at the entrance of the village; and deponent thinks he said, Neill had a gun; he took no part whatever in what was going forward; and deponent is convinced that he came there to assist deponent in case he should require

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assistance, as he is a person frequently employed by deponent as bog bailiff, and also a confidential person about deponent; deponent does not recollect any other person. Deponent does not recollect the person he heard the remark from of surprise that the party were attacked on Saturday in Maghery. Deponent mounted and dismounted his horse several times during the day, in Maghery, but never went further in the village than the place called the Diamond. Deponent cannot say that there was any person with him during the whole time he was in Maghery. Deponent is certain that Kilpatrick did not belong to the party that came over the bridge; deponent does not recollect having seen him until he began to prevent the party from injuring the property; at the time deponent read the Riot Act he looked at the party as particularly as he could, for the purpose of recognizing any of them again, and looked at several most particularly, in order that he might know them again by their faces. Deponent has not to his knowledge seen any of them since; did not go to look for them; did not call upon any of the persons mentioned by deponent, to arrest or stop any of the party; nor did he on his return desire any of them to do so. Deponent does not recollect having seen the man whose face deponent had known before do anything particular in the village, but he certainly was with those, he was connected with the party who were doing the mischief, and one of the party; did not see him since. Deponent does not know the man who had the bayonet on the stick or pole; has never heard his name, to his knowledge; does not think he should be able to identify him. Deponent does not think that the man who told deponent of the party putting things in their pockets belonged to the party; nor does he know who he was; has not the slightest recollection of him. Deponent does not know who the man is who had the barrel of a gun; did not see his face; deponent dos not know the man who presented the gun; did not take any steps to arrest him; deponent is satisfied that if he had desired any of the persons, that they would have lost their lives if they had attempted it. Deponent did not see any Armagh men with the party who were doing the mischief; deponent does not know the name of any one of the party that came over the bridge, or of any one individual of the party who did the mischief; does not know the residence of any of them; does not know the name of any of the party on the bridge, either that deponent spoke to or that addressed him. Deponent is certain that he asked Captain Lloyd if he knew the name of any of the party, and he told deponent that he did not know; that he is convinced that his gamekeeper and Butler did not know the names of the party, as they are strangers in that part of the country; may have asked his bailiff. Deponent recollects that in consequence of hearing that articles had been stolen, that he asked Captain Lloyd if he had seen any man carrying a bundle or parcel or anything, or about any of the party, and he told deponent that he did not. Some of the Churchill yeomanry reside near and about deponent's demesne, several between his house and Maghery.

William Verner.

Sworn before us at Lurgan,

W. Blacker.
James Forde.
William Verner.
Wm. John Handcock.

Jackson Lloyd, Esq., sworn: Is the captain of the Killyman yeomanry; was a lieutenant in the year 1796; recollects Monday the 22d November. One of his servant boys came in, and asked him, had he heard of the firing and music about seven o'clock in the morning; had not been out at the time, and said he had not heard it; went out to the yard and thinks he heard drums; is not sure whether he heard firing; does not think he did. Shortly afterwards Mr. Boartree came into the yard and said, "In the name of God, captain, can you do nothing in this?" Deponent pretended to be quite ignorant, having only heard it from the letter-boy. "Can you do nothing to prevent those blackguards?" Deponent saith, what is it about; Mr. Boartree said, he understood it was a parcel of idle running blackguards going to disturb the peace of the country, and that he (Mr. B.) understood they were going to take revenge on Maghery for what had happened there the Saturday before, and begged of deponent to use his influence to prevent them, for that they were coming down past his gate, and that he (Mr. B.) would go over and apprise Colonel Verner. Mr. Boatree rode away, and in a few minutes the party came forward to the back entrance; and before they came up deponent stopped the drums, and asked the party what they were about. Does not exactly recollect the expressions of the party, but thinks it was, that they were going to take revenge on Maghery. Deponent does not know the name of the man that said so, but knows him personally, and saw him within these few days at deponent's house. Deponent told the party of the impropriety of what they were going to do, and reasoned with them as well as he could; said they were going to be the law breakers; that they had it in their power to prosecute the people of Maghery if they had behaved ill; but they were law breakers by taking the law in their own hands. The party seemed much displeased, and got into a violent fury with deponent. Some of the party said, "Go on, go on." Deponent then stood in front of the party, shut his fist, and said, "Damn you, you set of rascals, but if you don't stop this moment I will make you." The party immediately went past, rushed away, and seemed quite angry, beating their drums and playing the fife: is not sure of what drums, but is sure of one large one. Is sure the party had arms with them, but cannot say how many; does not think there were 12 men of the party; did not see any muskets or bayonets; they had guns, but how many

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deponent cannot say. They cut deponent too short, and deponent got into such a passion; got his horse and rode about half way across the avenue, when he overtook the party; rushed forward and desired the party to stop, saying, "If you don't stop beating I will jump the horse into the drum." Got before the party, and asked them, "What are you about, or what do you mean to do." The party said they wanted to get their drums and music repaired by the Maghery people, who had broke them the Saturday before. The same man who spoke to him at the gate was the man that said this; knows the man perfectly well; does not know his name; had not seen the party on Friday or Saturday. Knows a man of the name of William Kelly; was one of the party; remarked him particularly, because he was impudent to him. He thinks he had no right, as he (Kelly) lived under him; is not quite positive that deponent does not recollect any more of those that came under deponent's observation, but thinks he does not recollect any more of the party. Deponent asked the party if that was all they wanted; they replied that was all they wanted, and if that was done they would go home quietly. Deponent said he would go on to Colonel Verner and speak to him on the business, and was sure it would be got down to their satisfaction. Deponent then rode to Verner's Bridge, and there met the colonel, who was standing on the bridge at the far side with the gate shut. The colonel was walking, and had a stick in his hand; and deponent told him of what had happened, who immediately said, "Through here they shall not come." In the course of a few minutes the party came down the road with their music, and when they came to the bridge, deponent told the colonel to get on the top of the bridge, as by that means he would have a better opportunity of speaking to the party, and the colonel did get to the top of the bridge. The colonel said, "Boys, this is a fine morning," or words to that effect. Did hear the reply. The colonel was speaking to them a long time, saying and doing everything in his power to make them go home, showing the impropriety of their conduct, and that they were breaking the law; and said through that bridge they should not come. The colonel seemed in a passion, and deponent does not recollect all that passed; but it appeared that the party chose out two men to go with the colonel to Maghery, and the rest of the party were to stay on the Tyrone side of the bridge. The colonel wanted Mr. Boartree to go to Maghery with him; but he said he had particular business in Dungannon, and said he could not go. The colonel then said, "Lloyd, you must come along with me;" deponent said he would rather not, but if he wished he would go. The colonel then put deponent's horse and the two men through the gate, and had the gate re-locked, and desired the gate-keeper on no account to let any of the party through the gate. The colonel then sent the men with the police sergeant to stop at Crone's. Knew the two men perfectly, but does not know their names; thinks they live in Ballynakele or Drumkeas, is not certain which, but knows they live in that direction, and one of them is the person who was at his gate that morning, and who was at his house those few days; the other is a very decent man, and is almost positive he did not pass house, or at least he did not see him, and is sure the man is so decent he would have spoke to him if he had been with him by himself; he says this from his knowledge of his character, as he has known him these great many years. The colonel and deponent then went up to Churchill-house to breakfast; after deponent had breakfasted he was standing at the window with Mrs. Wingfield, when the lady remarked, she thought the drums were coming nigh. Deponent looked out, and saw them coming down to the bridge; but deponent had no idea of their coming over at all. Saw them get upon the top of the bridge; still had no idea they would get further. The horses were brought before the door; went to the back of Colonel Verner's house, and found the colonel and Fox, the bailiff; the colonel desired Fox to get a horse saddled, and come down to Maghery after him. Went to the servant who held the horses, who said, "They are down on their way to Maghery;" deponent replied, "That is impossible," and ran back to look for the colonel, whom he could not find for some time. The colonel returned for the Riot Act, by deponent's advice, and deponent and Fox ran off, and was overtaken by the colonel when about half a mile from the house. They came up to the party about a quarter of a mile from Crone's, on the top of the hill, or in the hollow between the two hills; but deponent is not exactly certain of the spot. The colonel rode in front of the party, and holding up his stick said, "You are a pretty set of blackguards, breaking truce with me:" the colonel was in a great passion. Asked the party what was their reason for coming on this side of the bridge after they had promised to stay at the other side until the two men would come back; after a length of time the colonel got the party to promise to stay where they then were until he and deponent would return with the two men. Deponent thinks there were more of the party there than had been at the other side of the bridge, when the colonel had been speaking to them. Deponent does not know any of the party: he now recollects a man of the name of Cardwell, who lives at the Moy, was there; saw him before, that morning, at the bridge. Asked Cardwell what brought him there; he said he came to ask the loan of a boat. Deponent desired him to go to Mr. O'Neill, as deponent did not interfere in the boats; told him that if he stopped there he would speak to Mr. O'Neill. One man took a very active part to keep the party back, but does not know his name. Does not know how many guns the party then had, but thinks not more than was at deponent's house or at the bridge. Two or three of the party stepped out, and stood across the road, to prevent the party from going forward, as the colonel had wished; and the colonel, and deponent, and Fox, rode off to Maghery. Found at Crone's the two men and the police sergeant who came on to Maghery; did not stop a moment at Crone's. When they came to the end of Maghery, the colonel said to Fox, that he wished to have two or three or four of the most respectable inhabitants of

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Maghery; one man came, and the colonel and Fox called some men out of the field, and the colonel asked who were the most respectable men. Got into the centre of the town, and began to talk to them about repairing the drums which had been broken, and before he had spoken many words the colonel observed the party coming into the town, and told deponent, "for God's sake go and do everything you can to stop the party from coming into the village;" left the colonel and Fox, and the men, and rode off to meet the party; and deponent did meet them at the first house, and remonstrated very strongly about their coming down. The party said, "We have heard the two men have been murdered." Deponent said such was not the case, as he had left them standing with the colonel, and was sure all would be arranged in a few minutes; and deponent was joined by Fox, and did everything in his power to stop the party; was shortly after joined by the colonel who had a stick, and calling them rascals for not keeping faith; they became outrageous in the rear; finding nothing else would do, he read the Riot Act, which the party did not mind more than the singing of an old ballad, but encroached upon us. The colonel seeing some of the party going into the fields, he rode up the road to try and get before them from getting into the town. Deponent does not think that six or seven, not 10, got across the fields. Nothing was done to the first house, or any of the houses at this time, nor for a long time after, as far as deponent knows. Got the few who had followed the colonel into the field back to the road again, but not the seven or eight men who ran the low side of the field; went down to the road, where deponent remained a long time, and the colonel went up into the town; that was the time wrecking commenced, as deponent thinks. An old grey-headed man came to deponent and said his house was a destroying, and asked deponent to go with them to prevent the destroying of the house, which deponent did, and found the house had been totally wrecked; and when deponent went up found men inside smashing all before them; called "In the name of God, boys! are you going to destroy everything before you?" three or four men rushed out of the house; they were all strangers to him; went back to the party; heard battering in the back part of the town, which deponent could not see; went up the town, and found the colonel in every place he could be to prevent depredation, pulling and hauling and pushing them out of the houses from doing mischief, and sure to be in a very dangerous way. The party remained a long time, about half an hour, or about an hour, but cannot be precise as to the time the business was over; deponent went down to the party, and thinks the colonel advanced, or somebody else advanced, to get the drums beaten, in order to bring all the party with them, who were then scattered through the town. Deponent spoke to them, begging they would come, and thinks the colonel also. The party argued for a long time, wishing to beat their drums through Maghery, and insisted upon beating through the town and return; thinks the colonel was advising them not to do so. At this time they had wrecked the principal part of the village. There were some houses at the top of the hill; a party was scattering across the fields; the colonel called out, for God's sake go and stop them, or some such words. Deponent thinks at this time they were partly consenting to leave, when deponent heard a noise in the last house, at this end of the town, and shortly after the colonel came out; the party began to beat the drums, and we turned on our way home to Verner's Bridge. Deponent thinks the colonel desired him to go on with the party and keep them going, and he would stay behind and get them all out of the place. The party did not beat through the town as they had threatened; were prevented doing so by deponent and the colonel. Deponent then proceeded with the party to Verner's Bridge, leaving the colonel standing with Robert Crone. As deponent came forward to Robert Crone's house, he met John O'Neill, when a party came across the skirt of a hill, and attacked the house of a tenant of Colonel Verner's. Deponent desired O'Neill to go up to prevent them from destroying the house; deponent proceeded with the party as quick as he could to get them going; saw only a few blows struck; did not see the colonel after that; deponent never stopped at all, but rode on with the party to and through Verner's Bridge as far as Murray's, and there they insisted upon having whiskey, glasses a piece. Deponent sat upon his horse; saw them drink whiskey, and begged of the party to come back. One man appeared tipsey; was a stranger; had no arms; got the drums set a a beating, and came off. There was not then a fourth of the party who had been at Maghery. Came to the end of deponent's avenue, and he left them and turned home, and the party went on to Killyman-corner; there was not more than five or six guns; went up to Killyman-corner, past deponent's avenue; the drums continued to beat from the time the party left Crone's until they arrived at Murray's; deponent was riding as close behind the party as possible, where he had an opportunity of seeing the party; saw a man of the name of Hazleton; is not sure whether it is George; saw him in Maghery and on the road; believes he was one of the party; was with the party; does not know his christian name, but is a son of one of his boatmen. Saw a man of the name of David Kimming; he was in Maghery; did not see him doing anything; saw him active in bringing the people back from the hill, when the colonel wished them; Kimming came back with the party. Saw a man called Wm. Irwin, in Booane; lives across the river, half a quarter of a mile from deponent's house; knows him well; does not recollect the names of any man of them, but knows several of them by eye-sight; now recollects he saw Kilpatrick there, doing everything he could to prevent mischief; the man came to speak to deponent about the taking up of Cardwell; did not inquire his name upon that occasion; knows the man who was with him (the man who came about Cardwell), but does not recollect his name; was seized with a great fit of coughing, and was glad to get out of his office; did not inquire his name; has not since seen many of the people who were at Maghery; has not seen more than two or three of the party since.

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By *Colonel Verner.*—There were great crowds along the road sides as deponent went down to Maghery; men, women and children, both going and coming. Is sure many of them must have come from curiosity down to Maghery. Is sure not more than a fourth of them but went for gapeseed; and not a third who were in Maghery had arms, nor even sticks in their hands; did not see more than two or three at any time doing mischief. Thinks that the party, who deponent has described as following the colonel into the field, and to have been got back again, followed him for the purpose of assisting him and keeping the others back; deponent thinks there were 10 minutes between the party going across the fields and the colonel going up to the town; thinks they were wrecking the town at that time; heard two shots fired when the business was nearly over; saw one shot fired into the thatch of a house. Before the colonel went up to the town the second time thinks the wrecking had begun; is positive that two or three of the principal houses were wrecked before the colonel went up, but did not see them. When deponent stopped at Ben Murray's, on his return from Maghery, and the party drank the whiskey, he saw Murray, who appeared to be in a hurry, going out of his house and go into one of his outhouses; neither spoke to any person nor looked up; he came out of the front door of the house and went into the front door of the outhouse. Ben Murray's is between half a quarter of a mile from Verner's Bridge. Did not see any of Murray's servants bring out the whiskey. Cannot say whether Irwin had arms; saw something in his breast which deponent thinks was the butt of a pistol.

Jackson Lloyd.

Sworn before us, at the house of Jackson Lloyd, esq.,

Wm. Verner.
Wm. John Hancock.
Wm. Wm. Algeo.

Simon Boartree, sworn:—Resides in the townland of Cobannon, about half a mile from Verner's Bridge. Recollects Monday morning, the 22d November last; when he got up that morning, about seven o'clock, heard drums beating, and asked his boy what that was for; he replied that the boys were coming over to Maghery to take revenge for what was done there on Saturday. Deponent then ordered his horse and got on him; rode towards where he had heard drums beating; before he came the length of the party, met two or three men standing on the road; deponent asked them what these boys were about; the answer they gave was, that they were going to Maghery to take revenge of what was done in Maghery the Saturday before, by breaking their music and beating the party. Deponent said to them that he feared it was a bad business they were going on, and that it would turn out badly in the end; to which they replied, that he, this deponent, need not go any farther, as the party said that if Lord Wellington was there they would not be stopped. Deponent proceeded no further but turned his horse round and galloped to Captain Lloyd's, and told him that if he had any influence in the country or over these people to go and stop them in their proceedings; Captain Lloyd told deponent that he would go and meet them, and do all he could to prevent them. Deponent then said that he would go over to Colonel Verner's as fast as possible, and proceeded to the colonel's house, and asked to see the colonel; deponent was told that he was in his dressing-room, and proceeded there and found him in his room; the colonel immediately said to deponent, "You are early on foot," to which deponent said he was, and that he, the colonel, was long enough there; "Why, what's wrong?" Deponent then told Colonel Verner that Killyman boys were going over the bridge to wreck Maghery, and that if Colonel Verner could not stop them by shutting the gates the party would not be stopped. Colonel Verner instantly got up from his desk and went for a walking stick, and asked deponent if he were walking or riding; deponent said he was riding, and had his horse in the yard. Colonel Verner then desired deponent to follow him down as fast as possible to the bridge; deponent did so, and notwithstanding that the colonel was walking and deponent riding, the colonel was there first. Deponent left his horse at the inn, which is about 200 yards from the bridge, and walked down. When deponent got down to the bridge and went through, the colonel desired the gates to be locked, at which time the party were within four minutes' walk of coming up to the bridge. Colonel Verner met them, and went forward to the top of the bridge, accompanied by Captain Lloyd, who had been with the colonel before deponent arrived. Colonel Verner asked the party, "Boys, where are you going?" the reply was, "We are going to take revenge for what was done ours on Saturday, by breaking our drums and beating us." Colonel Verner said to them that he doubted it was bad work they were about, and asked them if they did not already know that they had committed themselves by coming with arms at this time of day, and drums with you too? The party said, "We don't much care for you and the rest of the gentlemen, as you have turned your backs on us." One of the men came forward to the colonel, and pulled off his hat, and showed him his head, where he had got three or four cuts at the time of the election, in supporting the colonel, "and that is my thanks for it." Colonel Verner said, that if the party had come in a proper manner he would not turn his back on them, but that he could not countenance or permit anything of that kind. They replied, that they had seen the time that he stood in need of them, and that they would see it again; and that they now did not care for him, for they would fight for themselves as long as they were able. Colonel Verner then said that he would not permit them to go over the bridge, and that they should not come over there. They then said, that if he would not let them over the bridge they could get otherways, for to Maghery they would go. One of the men, who appeared more moderate than the rest, said that if

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they were paid for the damage done to their music it was all they wanted. Colonel Verner asked him how much that might be; one man replied, "30 *s.*," and another said "2 *l.*" Colonel Verner said, that if that was all it was but a trifling thing, and that it should be made up to them. A third man spoke up, and said that that would satisfy them, but they would not take it from Colonel Verner, and that they must have it from those who gave the offence. Deponent believes that the party thought the colonel was going to pay it out of his own pocket. Colonel Verner then asked them if they would leave the thing to him, to which they agreed. He then asked them to choose any two men they pleased, and that he would either send a man or go himself and have the thing settled. The party then gave a cheer, and said all was well. Colonel Verner then asked Captain Lloyd to go with him; the captain made some objection at first, but deponent advised him to go. Colonel Verner, Captain Lloyd, and deponent and the two men appointed, then went through the gates, leaving the party on the bridge until the colonel should return, promising that they would not attempt to force their way until he should return. Deponent did not accompany Colonel Verner and Captain Lloyd any farther than to the inn where he had left his horse, and got on his horse at the inn, and proceeded onwards to Dungannon by the bridge, on arriving at which he, deponent, saw two men of the party scaling the gate. Deponent immediately said, "Now, you villains you, did you not promise to stop until Colonel Verner would return? and I don't think there is another man will attempt to get over the gates but yourselves; and go on, and you'll see what the colonel will do with you;" which words had the effect, as no more of the party did attempt to get over the gates at that time. Deponent knows one of the men, his name is Henry Corner; the other he did not know. Corner had a pole or stick, with a bayonet on it, with him. All this time deponent was at the county Armagh side of the river, the gates being closed, and the keeper afraid to unlock them for fear of the party forcing through. The party said to deponent that they only wanted to get over to Thompson's, at the inn, to get some drink. Deponent told them he was aware of what they wanted; that what they said was only an excuse to get through. Deponent also said, that if that was all they wanted, to go back to Ben Murray's, about half a quarter of a mile, and to divert themselves there until the colonel's return, and that deponent would give each of them a glass there. Deponent then got them off the bridge, and then passed through the gates. Deponent rode up to Ben Murray's, and told him to give each of the party a glass and not more, and he would pay him on his return. Deponent then rode on to Dungannon, and saw nothing more of the party. Deponent recollects that while Colonel Verner was speaking to the party on the bridge about the money that would pay for the breaking of their drums, one of the party said 10 *s.* would suffice; upon which another of the party shouted out that would not do, nor 2 *l.* would not pay him for his broken head. Deponent lives about four miles from Dungannon, and at one side of Killyman, in Killyman.

The party had just come forward to Ben Murray's as deponent was leaving it. Deponent paid Murray under 8 *s.* for the whiskey drank by the party; deponent thinks there might have been 50 or 60 men in the party, 30 or 40 of whom were armed, some with guns, some with poles and bayonets on them, and some with poles; there might have been 30 or 40 guns and muskets. Deponent does not know the names of any of the party armed except the man Corner, already mentioned; there was also a person of the name of Richardson on the bridge at the time Colonel Verner was speaking to the party. Deponent does not know the names of the two men chosen to accompany Colonel Verner. Deponent thinks that Richardson was the man who took off his hat and showed the wounds on his head. Deponent also saw a servant boy of his own, named John Hughes, on the bridge; he went there, like many others, to see the crowd, and returned soon after to deponent's house. Deponent is a lieutenant in the Churchill yeomanry, commanded by Colonel Verner. One of the three men whom deponent met at first, as he was proceeding to meet the party, was William Neilson, of Drumard.

Deponent on returning from Dungannon met part of the party about a mile and a half from Colonel Verner's residence; it was about two o'clock in the afternoon; there were from 60 to 80 persons, some of them armed in the same way as when on the bridge. When deponent was returning from Dungannon, he met the constabulary police about a quarter of a mile from Verner's Bridge; there was a man at the rear of the party following a good piece behind, whose name is Hazleton, (believes William,) resides at Tamnamore, about a quarter of a mile from where deponent met him; Hazleton had no arms of any kind with him. Deponent did not see Captain Lloyd that day, from the time he left the bridge with Colonel Verner.

Deponent paid Ben Murray for the whiskey on the same evening that the outrage was committed in Maghery; he made no inquiry from Murray who the people were or where they came from. Deponent met the police leaving Dungannon about ten o'clock; there were eight or ten policemen altogether; there was a police officer with them; deponent did not meet Mr. O'Neill. Deponent first heard the drums within half a mile of his own place, at a place called Moyrow. Deponent does not know any other persons among the party than those whose names he has already mentioned, except one boy of the name of William Kelly, who lives at Cobannon; he was on the bridge amongst the crowd. Deponent was standing on the bridge after Colonel Verner had left it, when he saw said William Kelly; deponent saw no person of the name of Williamson amongst the crowd.

Simon Boartree.

Sworn as before.

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David Duff, sworn :—Is chief constable of Dungannon, in the county Tyrone. In consequence of a report that came into Dungannon on Monday the 22d November last, and which deponent heard, he went with a party of nine or ten policemen towards Killyman; met a party of from 60 to 80 men coming from the county Armagh towards Dungannon; met them at the Dungannon side of Verner's Bridge, about three quarters of a mile from the bridge; supposes it was about 12 o'clock in the day; there were from 40 to 50 of the party armed, principally with guns; in that number there might have been 20 or 30 guns; there were some muskets, and bayonets on most of them, generally speaking on the entire; some of the guns, two or three of them, had no locks, and others regularly bent in two, crooked in the barrels, and could not be fired. Deponent swears positively he did not at that time, nor does he since, know any man in the crowd. Richard Dilworth, of Killyman, overtook deponent on his road out, about a mile from Dungannon; on meeting the party he joined them, and returned with the party; there was no person riding on horseback with the party. Deponent knows Captain Lloyd intimately; he was not with the party; did not meet him that day. When deponent met the party, there were three men in front about 20 yards, armed with muskets and bayonets sloped, as well as he recollects; deponent desired them to stand until the main body should come up; the three men stood until the main body came up; the entire party then stood; deponent asked them, "What are you armed for to-day, lads?" The reply was they were at Maghery; that no mischief was done. Deponent told them he hoped there was no harm done; they said not, nothing but a few panes broken and one gun taken. Deponent hoped it was not like Glenoe, nor no wrecking nor taking of arms; the reply was, only a few panes broke and one gun taken. Deponent then demanded them to surrender the gun to him, upon which the entire body cried out "There was no gun taken." Deponent proceeded with his own party to Verner's Bridge (leaving the armed party), and having arrived there, desired his men to remain on the bridge until he should go up to Colonel Verner to learn the particulars. Deponent saw Colonel Verner and reported himself to him and the strength of the party under his command. Deponent omitted to state that at the time he first met the armed party on the road, one of the most respectable men of the party said that Colonel Verner had been with him, that no damage was done, and that he had been appointed by Colonel Verner to ascertain the damage done, and the Colonel would pay it out of his own pocket, meaning the damage done on Saturday to coats, hats and drums.

Deponent having waited on Colonel Verner, told him that he had heard of the row at Maghery, and had come to know if he had any orders. Colonel Verner said to deponent that he was just writing a letter to the Castle reporting the circumstance; that he had done all in his power to prevent the party coming over the bridge, and that they were the damn'dest set of rascals he ever saw, having no respect for him; and that they were going to shoot him, and had not left a window in the town. He also said, "Nothing can be done at present;" that he was writing against time, as the post was going out, and that he had no orders for him. Deponent returned to his party, and proceeded to his quarters at Dungannon; deponent rested satisfied when the man in the party told deponent that Colonel Verner was there, that all was right. There was a magistrate, Mr. John Stewart Murray, accompanied deponent the entire way from Dungannon to Verner's Bridge; deponent did not afterwards see any of the armed party that he had met on his way to the bridge; if he had he would have apprehended them. The party had music with them; heard a drum and fife; the music ceased while the party passed; they then cheered and commenced playing one of the three tunes, "Protestant Boys," "Croppies lie down," or the "Boyne Water;" deponent is sure it was one of the three tunes; thinks it was the "Protestant Boys." Deponent thinks and is positive that he could identify several of the armed party he had met, more or less; but has not since seen any of them. Deponent (in answer to a question from Colonel Verner) is quite positive that when he waited on Colonel Verner that he told him he had come out with a party of police from Dungannon, and that although it was out of deponent's own county, yet hearing there was something wrong, he thought it his duty not to stand on a point of going into another county when anything was to be done. Mr. Murray was quite aware of what had taken place at Maghery, and did not make any exertion on returning to find out any of the armed party who had committed the outrage, Mr. Murray's and deponent's impression being that warrants would be issued by the Armagh magistrates (where the offence was committed) for the apprehension of the offenders. Deponent told Colonel Verner that Mr. Murray was at the bridge, when Colonel Verner asked deponent to take some lunch.

David Duff.

Sworn as before.

John Campbell, sworn :—Resides at Maghery; recollects the 22d November last; was in Maghery on that day; was in the house of James Magee on that day; saw a body of men coming to Maghery on that day between 10 and 11 o'clock; there were more than 100 of the party; supposes there were 200; observed arms with them; guns and bayonets; there was between 100 and 200 armed men in that way, and with bayonets stuck on sticks, and swords. Deponent saw Mr. Verner, Mr. Lloyd and William Fox there; saw the party breaking a house at the end of the town as they came up. Edward M'Garry and John M'Garry live under the one roof in that house; saw the party at that house; was a distance from them, standing with Mr. Verner; was talking to Pat Magee (who was holding Colonel Verner's horse) and Henry Campbell at the time; when deponent was called up at the time the mob attacked M'Garry's house, Colonel Verner left them and went off towards the

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mob, desiring them to stop a little until he would return; deponent stopped a little, and Mr. Verner sent for his horse; Pat Magee took the horse down; deponent walked down alongside of the horse; deponent went into James Magee's house; the mob were so outrageous deponent was frightened. After deponent had got into Magee's house the men came into the house with guns and bayonets, and broke the house; they tattered the shelf and shelf furniture, and went up into the room and tossed about the chest and boxes that were there; they rummaged the chest, which was locked; they broke the windows and every thing in deponent's view in that house. Deponent, on his oath, does not know any of the persons who were there breaking the house; there was one man who was not breaking the house; deponent knows that man; he is Dan Kilpatrick; he was saving the house, endeavouring for peace, and saw him do no mischief; saw no arms with said Kilpatrick; saw him first in James Magee's; he spoke to the men and said, "Boys, come out; this is a friend's house, and don't break it." Remained in James Magee's house until the party had partly left the town, being afraid to come out; deponent then went to his own house; it was in a state of ruin; he had to borrow a pot to boil potatoes for his children. All the furniture in deponent's house was broken; the door had been locked by deponent's wife, who ran away from it when deponent was speaking to Colonel Verner. The windows were broken; the glass and sashes, six of them in all, were broken; the press in deponent's house was broken; one table and one chair were smashed; the rest of his chairs were injured; also two chests and a wall press. All the linen and children's clothing, silk handkerchiefs, and his wife's scarf, were all gone when deponent came back; does not know any of the persons who either injured his own or the other persons houses; there 25 or 26 houses in the village all injured more or less in a similar way to the manner in which deponent's house was wrecked; both houses and furniture were wrecked; found his coat and shirt burning on the fire in his own house when he went in. Deponent saw Mr. Verner opposite Magee's door whilst deponent was in Magee's house; in a short time he saw Mr. Verner go forward, stoop, and look into the house; he then said, "Boys, come out of that, you have done enough there." The party then left the house as he desired. In about 10 minutes after that the party collected together and left the town in a body; they had a drum, which they played a little going away; deponent did not hear the drum and fife played when the party came into the town. Deponent saw Colonel Verner, Mr. Lloyd and William Fox there doing no mischief; does not recollect seeing a policeman there that day, but was so through other can't recollect. Saw Mr. Verner on horseback leaving the town with the party when they left it; saw one of the policemen at Robert Crone's house before the crowd came into the town; did not stop at Crone's house; was driving a pig; did not see any strangers at Crone's house; deponent thinks the mob continued doing the mischief in the town for about an hour.

Deponent was in Maghery on the Friday before; saw a party pass through with drums on that day; it was in the evening; came out to the door and looked after them; there was a score of them; did not go any of the way with them; can't tell any of the persons, nor don't know any of them that were of that party; saw that party, or one that was like it, on the Saturday in Maghery, they came to the Banfoot road, the same road they had gone the evening before; they had drums and fifes; there was a large drum; the party the day before had drums of the same description; deponent was making up a cock of hay that had blown down that morning in his garden, not more than a perch and a half or two perch from the road; they came on up the diamond of the street, and turned as if to go up Mr. Verner's road; when they came opposite John Donnelly's door they altered their tune, and played the tune, as deponent thinks, of the "Holy Water;" the youngsters, children, and women and boys came out and were displeased at them for playing the tune. Joe Campbell, who was with deponent, left the garden and went over to them to advise them to alter the tune. Deponent heard him say to quit playing such a tune and go out of the town peaceably; deponent followed on building the hay; the party passed on, the houses shading and preventing him from seeing them for the space of five minutes; deponent then came out to the road from the garden, went a piece down the road after them; they were away before him at the end of the town, followed by the women and youngsters and children in a lump, like as if they were quarrelling; deponent turned back and did not go down, and went to his cock of hay again; soon after that he heard that the drums were broke; can't tell who was with the party; did not pay attention; saw women and children returning from the crowd; saw Joe Campbell on the road; he returned home with deponent; he was standing on the road, where deponent found him; does not know what might occur the time, the houses prevented him from seeing the party; does not know whether Joe Campbell had been down with the party; did not see any of the men's hats, but heard of Bob Crone being down that night looking for their hats; is not sure whether he saw the triangles; cannot tell any of the men that were with the drums; they were all strangers to deponent; did not see James Megarry, to his knowledge, on that Saturday; did not see anybody speaking to the party before the time the tune was changed; did not see James Megarry, the pensioner, speaking to the party; did not hear anybody desire them to play "Patrick's-day;" thinks he heard a bugle played on the Friday and Saturday; is not a good judge of music; is not just sure.

John Campbell.

Sworn before us, at Lurgan,

W. Blacker.
James Forde
William Verner.
William John Hancock.
W. W. Algeo.

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Eleanor Campbell, sworn:—Resides in Maghery and keeps a public-house; it is near the Blackwater foot, near the quay; was there on Monday the 22d November last, between 11 and 12 o'clock, as near as she can recollect; was out standing before the door; a great number of men came down across the fields and attacked the house; four men attacked the four windows; deponent then went into the house for fear of her life; the windows were smashed, sashes and all; they attacked deponent's two daughters in her house, to beat and abuse them; two young men of the party came in, and one of them fired a gun in the house up at deponent's son, who was on the loft, and had made a noise to come down when he saw the men going to abuse his sister; the skirts of deponent's son's coat appeared as if they had been perforated with shot from the gun; it might have been done with slugs; four or five men then attacked deponent herself with bayonets, and threatened to take her life if she would not give up a gun which they said she had; they swore deponent on her hand and by the five crosses to tell where it was, and deponent had to send out for it; they got it, and took it away. A lump of a boy, about 16 or 17 years of age, came forward with a bayonet fastened on a stick, and made a stab at deponent, which struck her; deponent was wounded on her forehead with the bayonet, she thinks by the boy who had it; was also knocked down by a blow of a stone, which she thinks he held in his hand, and which stunned her; all deponent's delf, glass, and furniture were broken; her spirits and beer spilled, and her clock broken; all the spirits and beer in the bar were spilled; thinks five or six gallons of spirits were spilled; they also robbed deponent of her money, notes, silver, and halfpence, about 5*l.* or 6*l.*; they proceeded up stairs, and broke deponent's tables, and cut and destroyed her feather bed; they took away table linen, and sheets and shirts, and coats, and her children's clothes, and also a great deal of her own clothes, and left her very little behind; never saw any of the party before, to her knowledge; would not have known her own child, she was so much confused and put through other; thinks the party were disguised; the boy who struck deponent had his cap drawn down over his forehead; deponent was so frightened she could not tell any of the crowd; they cried out "We are Killyman boys," and would clear all before them; and to see what Lord Charlemont would do for her now; did not know any person of the name of Carner in that neighbourhood; deponent thinks 14 or 15 of the party came into her house, as well as she can tell; is not positive; they were all under arms, and had weapons of some kind or other; some guns, some bayonets, one man had a scythe, and another had a large sword, horseman's, or like one of the policemen's; they came in in two or three parties; first, four at a time, then five, then three, and so on; they were in deponent's house very nearly an hour, more or less; deponent, after her house was wrecked (in about five or six minutes after) saw two policemen, Moneypenny and Crawford; thinks they were not under arms then, but they may have had their side arms; did not see any other person that deponent knows; at that time they were doing no harm; she reflected on them for not coming down to save her. Sergeant Crawford came into deponent's house, the others went down to his brother's boat; deponent is not just sure, can't say exactly, but has heard and thinks there were 26 houses wrecked and injured in the town; very few escaped; deponent's house is quite at the opposite end of the town from where the row took place on Saturday; deponent saw no other person that she knew but the two policemen.

Eleanor Campbell.

Sworn as before.

Catherine Donnelly, sworn:—Recollects the 22d November last; was in Maghery on that day; is daughter of last witness, Eleanor Campbell; was at her mother's house when the party came there; her own house was locked up. When the party came into the town, deponent ran with her children to a lighter to save them. She had locked her own house; when she went back to her own house she found it locked; the party must have got in by the window; the door was not forced, but the windows were broken; she found her husband's and her own clothes burning; some of the furniture was injured, broken; whilst in her mother's house heard a gun fired therein; saw several men with guns and bayonets on them in the house. Deponent did not then, nor does she now, know any of the party concerned in the outrage, she was so much thunderstruck: saw no stranger in the town that day that she knew; she called on Stewart Moneypenny to go up the town with her; he refused, and said he could not do anything for her. Was in Maghery on the Saturday when the scrimage took place; she was in her own house, and four of her children with her; there were men that had been saving her house that morning from the storm: swears positively that no men left her house that day to take part in the ruction.

Sworn as before. *Catherine Donnelly.*

Sarah Campbell, sworn:—Is daughter of the late Owen Campbell; her mother is living; was in Maghery on Monday the 22d of November last; was in her mother's (Mary Campbell's) house; saw the party, a number of men, coming through the town; they were armed; they had all guns and bayonets; knew one of them, the boy who broke her mother's furniture, his name is John Catton; there were others with him; they did nothing; he did the whole damage; he broke the windows, and smashed a deal of little things; broke a clock and a wheel. Deponent lives in the diamond of the street. John Catton had an old scythe; he lives in Derrylea, county Armagh, not a mile from Maghery. Deponent does not know any other person of the party that were doing the mischief but the said John Catton; he had been down at Mrs. Campbell's house, the public one; the other men seemed to be encouraging Catton, who said to deponent, 'Begone, you whore, you;

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you; I'll rip you.' Deponent saw him since the row working in his own field; no conversation passed between them; has since heard that he has fled; heard of the meeting of magistrates two days after the row; was in Mrs. Campbell's house; saw Mr. Algeo that day; went forward to the meeting, and was examined up stairs; is not sure who examined her then; was not sworn on a book; saw Captain Patton that day; told Mr. Algeo that day, and told him all about Catton; has no doubt on her mind that he is the same; he is a good lump of a slender boy, of man's growth,

Catton has been well known in the town, and had been often in Mrs. Campbell's (the publican's) house. Mrs. Campbell might have known him as well as deponent. Deponent saw him going down to Mrs. Campbell's house; he had not the scythe with him going down, but he must have got it in her uncle Phelemy's house; he had it coming up the town; she was not in her uncle's at the time, but the scythe was missed when she went down: knows it to be her uncle's scythe. It was between eleven and twelve o'clock when she told her story to Captain Algeo, on the day the gentlemen were examining there; does not know whether he took it down on paper or not; saw Mr. Patton, the chief constable of police; deponent told him the name of the said Catton.

Sworn before us, at Lurgan:

Sarah her + mark *Campbell.*

W. Blacker.
J. Forde.
W. Verner.
W. J. Hancock.

Truly read to the said Sarah Campbell,
W. B. Morris.

John O'Neill, sworn:—Is of the business of a lighterman; lives about Golgoora, at Coal Island. Was in Maghery on Monday the 22d November last, the day the village was wrecked; came there with a lighter; the lighter was laying at the quay, at the end of Ellen Campbell's house (the widow Campbell's). Deponent saw her house attacked; knows some of the party who attacked her house. Knows John Campbell, who lives at the pottery side, on the road leading from Verner's Bridge to Coal Island; his father keeps the pottery there. Knows Thomas Campbell, a brother of said John Campbell; one Simon Carville. Knows John Ash, who lives near Mr. Verner's Bridge; don't know exactly where he lives. Thomas Campbell and John Ash were each armed with guns; saw nothing else with them. John Campbell had a bayonet on the end of a stick. Carville had a gun and bayonet. Saw Thomas Campbell breaking the windows of Nelly Campbell's house; saw the others assisting and breaking along with him. Saw the party go up to Joe Campbell's; did not see what they did there, as deponent staid in his lighter. Can't tell how many persons there were altogether, as there was a great deal. Deponent had a gun aboard his lighter; it was demanded from him by some person whom he does not know; did not give it up, but threw it into the water; lifted it since with an instrument belonging to one of the lighters.

John O'Neill.

Sworn before us, at Lurgan:

W. Blacker.
Jas. Forde.
Wm. Verner.
Wm. J. Hancock.
W. W. Algeo.

Peter Campbell, sworn:—Lives at Maghery, otherwise in the White Island, which belongs to Maghery. Recollects the day Maghery was wrecked; it was on Monday the 22d November last. Deponent is a weaver; has a cot take, and has supposed to be two acres of ground. Recollects the Saturday before that day meeting a party of people; it was central between the Banfoot Ferry and Maghery Ferry; the name is Mill Bridge. Deponent was going to Portadown that day. Deponent, as near as he can say, thinks he met about 30 people; they had with them two drums and other musical instruments; did not know any of the party except one, named John Crawford, who lives at Derrylinny, between Mr Verner's Bridge and Maghery; did not remark anything extraordinary about them; there was one man in soldier's uniform with the party; the party was going towards Maghery, and deponent was going in the opposite direction.

On Monday morning, when deponent went out of his house, he heard a drum beating at the distance of he supposes Mr. Verner's Bridge. Saw a body of people enter Maghery about two hours after he first heard the drum; deponent was at the house of Robert Crone, in Derryeen; there might have been between 200 and 300 people assembled; there were many of them armed, some with guns and bayonets, some with swords, some with bayonets on poles, and some with clubs. The party had a drum; it was not beating when deponent saw them. Deponent saw persons on the road whom he knew: saw Serjeant Jackson, he had no arms, but was going with the party; saw his son, William Jackson, he had a gun and bayonet; saw Davy Fox, he was armed with a gun and bayonet; saw Alexander Marrow, he had a gun; saw Joe Fleming, he had a gun and bayonet: Joe Fleming is the son of the miller; saw John Blair, he had no arms that deponent could see, but was with the rest of the party; saw James Crawford, he had no arms; saw his son, William Crawford, he had no arms; saw Robin Kilpatrick, he had no arms; saw Robert Neill or O'Neill, he had something, but deponent can't swear exactly what it was so as to identify it, being under surprise at the time; saw another man, Jack Blevins, he had no arms, but was

of

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of the party; all those whom deponent has mentioned were of the party. Saw some of the police there, namely, Sergeant Crawford and Stewart Monypenny; they were along with the party. Before deponent had seen the party go by, he saw gentlemen ride by, namely, Colonel Verner, Mr. Lloyd and William Fox; there was about a quarter of a mile distance between them. From the alarm of the drums, and dreading the event rumoured among the people, deponent went to Crone's house, to understand if there was anything injurious to happen to the people. Deponent, on coming to the turn from Derryeen to Maghery, met with a party of men.

Elizabeth Mullen, sworn: Is a married woman, her husband lives in Maghery, has a house there; deponent recollects Saturday the 20th November last; was in Maghery that day; saw the party going by her own door, but never saw them more: saw them going by her own house; deponent's husband was away with Mr. Donnelly either in Moy or the Blackwater, lightering; deponent saw the party coming into Maghery on Monday; secured her own house, and went aback of her own house up the field; saw William Forker, Christy Clements, Jemmy Garner, John Henderson, saw them running down to the crowd, they were in the field running down to where the crowd were wrecking; none of them had anything in their hands, except William Forker, he had a gun. Deponent at this time was standing in a field behind her own house; William Forker and Christy Clements were within two cornrigs of where deponent was standing; deponent went on to the wood across the moss, and did not come back till the party were returning at Robert Crone's house after wrecking the town; deponent had fastened her door in her own house and went out through the window; she was afraid of her life when she heard the party was coming; deponent saw all those four persons running into the village across the fields; knows them all perfectly well, they are her door neighbours, except John Henderson, who was reared up in Derrylee under Colonel Verner.

When deponent returned to her own house, it was wrecked, and most of the things in her house destroyed and broke, some of the things were burned, her very noggins were burned and churn broke and her furniture destroyed, the windows of the house were pulled out of their stensills and broken; she is sure of knowing the four men she has mentioned, they are her door neighbours, and reared in the next townland; John Henderson is married in the next townland. Did not see the party beat on Saturday; heard they were beat; they passed deponent's door, and that was all she saw of them; her husband was met in Maghery either on the Saturday, Sunday or Monday; deponent lives on the road-side; she went up a rood of land in her own field, and supposes she had not passed over two acres of ground when she met the men, they were coming from their own town into hers, running into the wrecking crowd, the rest was wrecking; when she met those men she never stirred until the wrecking begun; saw those four men run into the wrecking crowd and mixing with it.

Deponent got no notice to attend the meeting of magistrates held in Maghery, two days after the outrage.

her
Elizabeth + *Mullen.*
mark.

Sworn before us at Lurgan:
W. Blacker. *W. Verner.*
James Forde. *W. J. Hancock.*

Truly read to the deponent by *W. B. Morris.*

John Maguire, of Derryeen: Recollects the 22d November last, lived in Archy Smith's, in Derryeen; saw a party of people coming towards Maghery on that day; thinks between eight and nine o'clock; Archy Smith's house is between Verner's bridge and Maghery, the party were armed; knew David Fox of Derrylee, he had a gun and bayonet; the bayonet was upon the gun; knew James Delup, he was armed with a gun, and bayonet on the top of the gun; he lives near Clanmore in the county Armagh; knew Bob Neal, he had a gun and bayonet, he lives beyond Colonel Verner's; his son Robert, he had arms, a gun and bayonet, the bayonet on the top of the gun; his son James had a gun and bayonet; John Catton, he lives at Derrylee, he had a gun, is not sure whether he had a bayonet or not; those are all deponent recollects with arms, that is, that he knew; deponent was standing at the cross roads when the party were going by, they were running as fast as possibly they could; deponent cannot tell how many there were; there was a great multitude; deponent walked after the party into Maghery with a neighbour boy, of the name of James Innes; saw Billy Fox in Maghery that day, he was unarmed; saw James Wylie, Billy Fox's servant boy; saw Charles Wilkinson of Derryeen, William M'Kettrick of Derryeen, John M'Kettrick of Derryeen, James M'Kettrick of Derryeen, three brothers; saw James Innes of Derryeen, the boy who walked with deponent, George Innes of Derryeen; saw Robert Crone there, but deponent thinks he was not for damage, thinks that he tried to save damage; saw a great deal of damage done in Maghery that day on the outsides of the houses, was not inside any of them; saw James Neal, who is the only man of those deponent knew that he saw doing damage; saw Mr. Lloyd there, he was in the crowd; saw Billsland the gardener there also, belonging to Churchill garden; when deponent was going into Maghery, he met Colonel Verner and Billy Fox, and a small crowd of men coming on to the near end of Maghery, and they stood there; deponent got into the midst of them; when there about a quarter of an hour, Mr. Lloyd came down smiling and laughing; Mr.

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Verner asked him were they doing much mischief; Mr. Lloyd said they were, a great deal; "Well," says Mr. Verner, "we'll go on with what men we have here on to Bob Crone's, and if there comes a reinforcement against the men that are in Maghery (meaning doing damage), we will come back;" heard no more said, but the man's son with whom deponent lived, David Smith, told deponent to go home, for he was in great danger where he stood; said David Smith had no arms, and was doing no mischief; deponent came on homewards and stood on the road, about 20 perches from the first houses in the village, and saw Thomas Stagan's house set on fire; that house is on the side of a hill above Maghery, but in the townland; deponent then came on the road, and some of the party overtook him, and one of them who had a sword in his hand, shouted "We are the boys that can tear them up!" Another boy, John Innes, told him (that is, the person who was flourishing a sword in his hand), that there is more of them up the Lonen, meaning Roman-catholics, as deponent supposes; deponent then saw that boy who was flourishing the sword, turn up the Lonen, followed by others of the party; they went up to Bryan Magarry's house, and began to break the windows, upon which a girl ran out of that house; deponent met that girl shouting "The house is on fire!" At this time Lieutenant O'Neill galloped up by deponent on a pony (he is agent to Mr. Nicholson); deponent saw men dragging the people out of that house, and beating them with the butts of their guns, and struck one of them (Henry M'Garry) with a bayonet in his groin, Mr. O'Neill shouted, "Boys give out the gun, and there will be no more about it;" "Easy boys, easy." Deponent then ran by them for fear he would be the next abused, and saw no more about them; deponent does not know any of the men who were abusing the house; does not know any of the persons present except Mr. O'Neill. Derryeen is in the estate of Colonel Verner. Curiosity brought deponent down to the road, and also into Maghery. Some of the men he has named lived in the same townland with him; some ran before him, and some might have come after; did not see any of the men he has mentioned doing any harm, except one that he knew by name. Saw Colonel Verner arrive; some of them out of the town at the time; deponent saw Bryan Magarry's house and family get the abuse; he did not see Colonel Verner there; saw him come to the house when all was done; there was one man continued on when the colonel came up; the rest had left it; deponent was standing above Bryan Magarry's house at a distance. Colonel Verner could not have been there without deponent having seen him; saw the man that remained put a cant in through a window, and break a chair; was about two perches from the house; one of them presented a gun and cocked it, and was going to snap it through the window, when a neighbour man, William Boyes of Derryeen, a cotter of Billy Fox's, came forward and pulled the man away from the window. Colonel Verner was not there at that time; saw no man do any harm, except the one man named Neal; the son (who lives near Colonel Verner's,) he was breaking windows in Maghery with the butt of a gun; told part of this story to a boy; told it all to Mr. Quin to day. Did not come here without being summoned; was summoned here to-day; has heard of a reward being offered for the discovery of the offenders, and waited to see if some of themselves would turn stag, and take it up for sake of the reward. Heard of the meeting of magistrates at Maghery; did not go forward there or then, because he does not wish to turn the country against him. Has lived with Archy Smith up to this day; has left him this day, because he is afraid to go back; lived in the county of Monaghan before he last went to Archy Smith's; had been reared four years with Archy Smith before he went to the county Monaghan to hire.

There was a great whurroh through the country at the noise of the people coming, and saw the people running in all directions.

John Maguire.

Sworn before us:

W. Blacker. *W. J. Hancock.*
James Forde, *W. W. Algeo.*
William Verner.

Sarah Megarry, sworn: Lives at Maghery, in the low end of the town; is married; her husband's name is James Megarry; recollects Monday, the 22d November last, when the town was wrecked; saw the party coming into her own house, wrecking it and destroying it; was at the down-laying at the time, and lay in about eight days afterwards; kept her back to the door as long as she could; the party came into deponent's house, and asked for a gun, and when they could get no gun they trailed out the beds to look for a gun; they then asked for deponent's husband, she said he was not at home; they then said they would rather have one man than all the harm that was done in the town; she then said they would not have her husband the day; they then trailed down the shelf and broke it. Deponent said, "Boys, don't do that," upon which one of the party struck deponent with the butt-end of a gun on the shoulder; another of them said, "Don't do that." Deponent does not know the boy who struck her, nor any of the people who were there, except a son of Robert Cotton's; does not know his Christian name; knows him by eye-sight; he is a small, slender, smart, wee fellow, not very tall; he was the second man of the party who came into the house; he had a gun in his hand; Robin Cotton lives in Derryeen, he has more sons than one; does not know how many sons he has, but knows the eldest has gone to America; he has two or three more living at home with him. Deponent has often seen Cotton, he worked awhile about Mr. Verner's garden and demesnes; knew him whilst she lived at Derrycrew, a small place at the foot of Mr. Verner's demesne; knows the boy Cotton very well by eye-sight; left Derrycrew summer

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was a year. Deponent's husband is a pensioner; he has done here, as she believes; he is not here to-day. Deponent came here the day before yesterday, on which day he went home from this to his uncle's funeral; her husband has not been here since the day she came.

Deponent was in Maghery on Saturday the 20th November; saw a party pass through that day; cannot tell how many there were; they had music, and passed by deponent's house, which is the first house in the town, next Milltown; the party went by her door, and saw nothing take place; she went out, and saw them up the street a bit; it was in the low end of the town they were beat; she did not see the party beat; she then went into her house, and does not know any one of them; does not know where her husband was at that time; saw her husband speak to some of the party in friendship as they passed by. Deponent heard they were beat; could not have seen them beat without going up to the top of the hill; the party went quietly past her house; is sure she does not know one of them.

her
Sarah + Megarry.
mark.

Sworn before us, at Lurgan,

W. Blacker, *William John Hancock,*
James Forde, *W. W. Algeo.*
William Verner,

Truly read to the deponent by William B. Morris.

Robert Crone, sworn; lives at Derryeen, about half-a-mile from Maghery; did not see the men go down to Maghery on Friday; saw them come up therefrom on Saturday; saw them all confused like; some of them wanting their hats, and one of them bleeding; did not see them when they were a beating. Deponent does not know, of his own knowledge, anything of what took place in Maghery; deponent not wishing to interfere, paid very little attention; one of the men, the one that was bleeding, appeared to be hurt very much; did not see any one pursuing them; they had been beaten before they came up to deponent's house, which is near half-a-mile from Maghery; does not know any of the men who had passed his house on the Saturday; does not know who the man was that was bleeding.

On Monday, the 22d November, about 10 o'clock, deponent saw a large party passing his house towards Maghery, they were mostly armed; does not know any of them that were committing the outrage at Maghery; does not know any of the persons that he saw there that day armed; was at home when the policeman and two persons came to his house; the policeman's name is Crawford; does not know either of the other two men that were with the policeman; never saw them before that day to his knowledge; does not know their names; was talking to Sergeant Crawford, and did not hear their names mentioned.

Did not see any other men with arms on Monday, except the party that went past; there was a great alarm through the country about Maghery; thinks it was about 11 o'clock; went from his own house after the party to the first house in Maghery; remained there about 10 minutes; saw Sergeant Jackson at his own place before he (deponent) went down; the party were past at the time about a quarter of an hour; deponent can say that Sergeant Jackson did not pass with the party before that; was speaking to him; he had no one with him; there was a great many people along the road that deponent took no notice of at all; deponent is sure that Sergeant Jackson did not go into Maghery at all; deponent was on the road the whole time, and staid there until the party had returned; does not know a single man of the party who went or came that day, nor who was in arms. As deponent was returning from Maghery, a great rush of people came running towards Maghery, greatly alarmed, from the country parts; did not see any arms with those people; thinks a great many of the people had no idea of joining the party who were doing the harm. Colonel Verner put deponent into a door in Maghery, to prevent the people from going in and doing mischief, at which time one of the two men who had come to deponent's house with the policeman, said to deponent, that if he would interfere and prevent him from going in, that he would stick him; did not see anything in his hand at that or any other time. Sergeant Crawford came up and pulled deponent away; deponent did not to his knowledge see Moneypenny, the policeman, that day at all; he might have been with the party, and deponent not see him; the man that threatened to stick deponent did not lay hold of him. Saw Colonel Verner pass his house on his way to Maghery; he did not call in deponent's house then; deponent is in the linen business; does not know a weaver of the name of Corner. When the party were going to Maghery, deponent was in his yarn-room, and could see them clearly as they passed his house; some of them running; does not know what time Crawford, the policeman, left his house; deponent was attending to his business in the yarn-room when the party passed. Did not see Edward M'Garry's house attacked, the house was wrecked before deponent got to Maghery; saw great numbers round and about the house; knows a great number of Colonel Verner's yeomanry; did not see any of them that day take part in the proceedings, or appearing under arms; deponent resides on Colonel Verner's estate. It would not be easy for deponent to know the persons of all that passed his house as they were running by, and could not distinguish them. Deponent at one time saw a volume of smoke arising from Maghery, which attracted his attention.

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Knows a man of the name of Peter Campbell of the White Island; did not see him at all that day in conversation with Sergeant Jackson; there is a man named Mullen lives between deponent's house and Maghery; did not see said Peter Campbell between Mullen's house and his own that day; deponent sent men down to put out the smoke; sent Mullen to take Peter Campbell's son down to put out the smoke. Saw Peter Campbell at his own house that time (did not see Sergeant Jackson at that time); it was just at the turn to the White Island that deponent saw the smoke, and sent the men to get it put out, at which time the party had returned from Maghery. Whilst the ruction was going on, deponent observed no smoke.

Sworn as before. *Robert Crone.*

Frank M'Loughlin, sworn; lives at Killyman, in the townland of Annahog, between a mile and a half from Verner's-bridge; recollects the 22d of November last, the day that Maghery was wrecked; saw a party of men going in the direction of Verner's-bridge that day; they had music with them, thinks it was about eight or nine o'clock in the morning, the music was playing; deponent had gone to trench wheat for Captain Lloyd, and had come down to the road to see them; had gone to pay him duty days for moss; Captain Lloyd is their landlord; cannot tell how many of them there were in the party, there was a power of them; they were in the way of running; they were all mostly armed, they had guns and bayonets; knew some of the party; knew two of them; Willy Hazleton and David Cummins; Cummins had a gun and bayonet, and Hazleton had something like a sword, thinks it was a sword as they ran by him; Cummins and Hazleton both live in the townland of Tamnamore, and are tenants of Captain Lloyd; does not know whether they are yeomen or not; saw the party go over Verner's-bridge; saw a party returning in about two hours afterwards, as deponent thinks; was standing in Johnny Christy's door beside that bridge, when he saw them returning; saw Mr. Verner on the bridge when the party were going; he was on horseback on the bridge while the party were on the bridge at the same time; the party came back to Ben Murray's; they were turned back by Colonel Verner, and remained about half an hour; deponent just went into the house and sat down; did not see any of the men that deponent knew returning with the party; did not see any person on horseback with the party returning; was just off the road when he saw the party going to the bridge and returning to Ben Murray's; does not know whether Cummins and Hazleton were with the party at Murray's; saw them go towards Murray's; the party were a long time on the bridge, the gates were shut a good while; thinks it was a chesnut horse Colonel Verner was riding; did not see Mr. Bortree at that time on the bridge; Mr. B. went back from Ben Murray's to Dungannon for the police; did not see him in deponent's time; did not see him with Colonel Verner on the bridge; saw another horseman on the bridge, is not sure whether it was Captain Lloyd or not; Captain Lloyd had gone by before witness had come up; cannot say whether it was Captain Lloyd for the crowd, and is sure Colonel Verner was on the chesnut horse.

Sworn as before. *Frank M'Loughlin.*

Ann Mullen, sworn; was in Maghery the day it was wrecked; her husband was away in a lighter; has a bay of a house from one James Megarry, the pensioner; was in her own house when word came, they were coming to the town. Deponent took her child and went up with it to her father's, John Campbell's, at which time the party were wrecking Henry Campbell's house. Deponent left her child with her mother-in-law; on her return to her own house, she found her own house wrecked, and the bed-clothes and the delph burned; the bed-clothes and straw had been thrown on the fire. Saw a party coming out of her house, was within 10 yards of them at the time; knows one of the men, he is James Hancock, he lives up towards Mr. Verner's road, thinks it is called; he had a gun and bayonet with him; does not know any more of the party but him. Saw a boy of the name of Christy Clements coming across a field to meet the others; did not see him do anything; he asked her, if she would go to parade; deponent replied, she did not belong to that place. Was examined yesterday by Mr. Quin, and did not mention Hancock's name till the day; she told her story yesterday what she had to say, and did not mention Hancock's name, nor anything about him until to-day. Deponent did complain of Clements yesterday, and mentioned nothing about Clements to-day, until pressed to it; the reason why deponent did not mention Hancock's name yesterday, is, because her husband would not let her; he is afraid; her husband told her this morning when rising to mention Hancock's name; deponent would have mentioned it to-day if her husband had desired her not to do so; she thought she would not have had the book to take; deponent has not seen Hancock since the day of the wrecking; heard of magistrates being in Maghery a day or two after the wrecking; was not in Maghery that day, went to Portadown to get clothes made; is positive that Hancock was at Maghery on Monday the 22d November. Saw him coming out of her house with a gun and bayonet; knew him well, as she wrought net for him for two years; never heard of any reward being offered, but has heard that Government would pay handsomely for discovering. The landlord sent blankets to all the people in the town, whose blankets were destroyed; heard the people were called on to give an account of what they had lost, and they will get all supplied to them.

Sworn as before. *Ann Mullen.*

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Eleanor Campbell, sworn; is wife of William Campbell, he is a ferryman; has a house in Maghery, recollects the town being wrecked; does not know the particular day deponent's house was wrecked; every thing in it, her furniture, windows and all were smashed. Knows two of the men who wrecked her own house, the one Bob Crawford and John Cotton. Bob Crawford had a gun and bayonet in his hand, Cotton had nothing, but he struck her and her infant, and knocked her down. Knew Cotton very well, and is quite sure of him, he lives with his father in Derrylee; did not see them injure any other house, but saw them go across from her own house to Mrs. Campbell's, but did not see what they did there. Cotton called deponent a Papist villain; and he also said, that "We will make Maghery be Maghery after this day."

Deponent lives a little bit off the road, nearly opposite to Mrs. Campbell's, and her husband is ferryman to Mrs. Campbell. Cannot tell where her husband was that day, he has a ferry-boat to mind, and to attend to. Knows the gentlemen and others came to Maghery, and saw the gigs coming to Mrs. Campbell; cannot tell how many days after it was; does not know what the gentlemen came there for; has heard that Mr. Algeo got the names of all the houses that were wrecked; she did not give in her name, she was not there that day; she does not know whether her husband gave in his name or not; her child was much hurt by the fall which it got when deponent was knocked down by a blow from Cotton. Bob Crawford lives at Cranfield, near to Colonel Verner's mill; deponent knows him very well, and is sure that he is one of those that did the damage to her.

Sworn as before. *Eleanor Campbell.*

John Christy, sworn; lives in the parish of Killyman, at the other side of Verner's-bridge; his house is about fourscore yards off the road; is a weaver. Saw a party of men the day that Maghery was wrecked; first saw the party from his own house between seven and eight o'clock in the morning; they were on the high-road, going towards Verner's-bridge; deponent was at the end of his own house; some of them were armed, and some was not, with muskets and bayonets apparently, as deponent thought; knows some of the party as they were going; knows William Hazleton and David Cummins, James Dunn of Derrybirk, Hugh Donnelly of Derrybirk, John Cullen of Tamnamore; saw them there; Hazleton, he thinks, had a sword, David Cummins had a gun; thinks Dunn had no gun; did not see anything with Hugh Donnelly in the shape of arms; Hazleton had a cap on his head going. Saw the party coming back; deponent thinks they were not more than about two hours away, from the time they left the bridge until they returned, but cannot be exact; saw the same persons of the party coming back, and had a better opportunity of seeing them coming back as he was within 30 yards of the road putting out ashes for Mr. O'Neill; Hazleton had a hat on his head coming back. Knows Cullen to be a yeoman of the Killyman corps; Hazleton and Cummins, and Donnelly are not; is not sure, but thinks Dunn is not in the yeomen. When the party first went to the bridge, they returned back to Ben Murray's, who keeps a public-house; they waited there a good bit of time; they then returned from Murray's again, and went over the bridge; deponent took notice to no gentleman there on horseback; saw Mr. Bortree ride on horseback, coming from Verner's-bridge; he met this party, and he turned them back towards Murray's; the party had music and drums going and coming; did not see Captain Lloyd there; saw the party coming down the Dungannon-road; they were making a noise with drums; did not take notice of many people running towards the party; saw lumps of children looking at them; is sure there were several country people at the bridge, that he is sure did not go any further; saw George Askin in the party; he lives in Derrybirk, parish of Killyman; thinks he had no arms with him; saw him going and coming. Saw Thomas Askin of the same townland; is sure he had a gun and bayonet; Thomas Askin is a yeoman, and must belong to Killyman corps; saw him coming back; deponent is not a yeoman, nor never was one; did not see Thomas Askin when the party was going, he was so far off the road. All the persons whom deponent has mentioned, are tenants of Captain Lloyd or his son Richard.

Sworn as before. *John Christy.*

Benjamin Murray, sworn; keeps a public-house about a quarter of a mile from Verner's-bridge, in the county Tyrone side. Was in bed when the party passed his house, going towards Verner's-bridge on Monday morning. After deponent got up, he saw Mr. Bortree coming riding from the bridge up to deponent's door. Mr. Bortree desired deponent to give the party some whiskey, as he thought to get the party back by Colonel Verner's advising them, and also by giving them some whiskey. Mr. Bortree asked deponent how much whiskey he should give them, and deponent said about five pints; deponent went and measured the whiskey in a jug, and least he should get any bother by giving it to the party, he told Mr. Bortree that he would not give it out to them himself; a man that came for the whiskey, whom deponent does not know; he was a strange man whom deponent did not know, and has never seen him to his knowledge, and he gave it to that man. Mr. Bortree was not there when the whiskey was given out; he had rode off towards Dungannon, saying he had business there; deponent did not go to the door at all, but kept inside, lest he should get bother by it; did not see the jug brought back; it was a strange man, whom deponent did not know, that brought it back; did not see any more of the party then; deponent was in his own field when the party were returning; it was about three fields off the road. Deponent, on his oath, cannot say that he knows any man of the party, either going or returning; deponent has three servants in his house, two boys and a girl; does not know whether they attended the party or not, but thinks they did not; deponent

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saw the party that passed by on Friday; he was at the end of his house, in his yard, when the party passed by on the road; they had music playing, a drum and a fife, and for anything else deponent does not know. Did not see the party or any of them on Saturday to his knowledge, for they are men he does not know; he was down at Mr. Lloyd's at the time they returned. Cannot tell who was at the head of the party on Friday; they were a good piece from his country; cannot tell their names. None of them on Saturday or any other day complained to deponent of having been beat, but heard they were beat. Deponent is not a yeoman. Deponent's rising is uncertain; sometimes he has to be up very late. Deponent had not heard of the party coming from Tyrone; he kept himself in his house on purpose to avoid seeing the party; heard from Mr. Bortree there was a party going from Tyrone to Maghery; deponent cannot say whether any of the party came into his house to drink the whiskey, but rather thinks they did not; did not come out of his house until he heard the party was away; he then came out, and went about his lawful business. About half an hour after he had given out the whiskey, there were not many people on the road; when he came out only a few of the neighbours. Could not see down to Verner's-bridge from where he was; saw a good number of the neighbours gathered on the road after the party was away, none of whom had arms; the first man deponent saw was John Askin, who lives in the townland of Derrybirk; saw Frank Hyde; saw Pat Heveren; saw Robert Hyde; saw some women.

Benjamin Murray.

Sworn before us, at Lurgan,

W. Blacker. *William John Hancock.*
James Forde. *W. W. Algeo.*
William Verner.

William Crawford, sworn; is a constable of police, stationed at Churchill, near Verner's-bridge; was there on Monday the 22d November; was called on by Colonel Verner between eight and nine o'clock; he said he heard there was a party of men from Tyrone; he desired deponent to go down to the bridge. Deponent went after the colonel down to the bridge; was there when he heard the colonel desire the gates to be locked. When the colonel saw the party coming on the bridge, he went over and met them in the middle of the bridge, and endeavoured both by threats and entreaties to get them to go back; it was then finally agreed that two men of the party should go with deponent to Maghery, and that Colonel Verner should follow. Mr. Lloyd was on the bridge at that time; did not see Mr. Bortree there then; saw a man take off his hat and show his head, where he had been wounded in Maghery the Saturday before; heard the man say he was cut in Maghery the Saturday before; is sure he does not know that man's name, nor never heard his name; heard one of the men called Williamson; does not know the other man's name; believes he lives in Tyrone; he said he lived in the county Tyrone. Deponent has been stationed in this part of the country about nine months; has been stationed at Churchill since February last; was stationed at Crossmagher before that, and was removed from Crossmagher to Churchill; thinks there were about 30 and upwards of the party on the bridge, armed; some with guns and bayonets, some bayonets and some not; did not see any cartridge-boxes with any of the party; did not see any belts with any of them; the gate on the bridge is about six feet high; it is an iron gate, the bars are upright, with spikes on the top. Deponent does not know any one of the party that he saw on the bridge that day, nor the name of any of them, except the man they called Williamson; heard them call him Williamson at the time he was going to Maghery with deponent; some of the party called him to go with the other man to Maghery, as one of the two; deponent was at Portadown from Friday the 19th till Sunday evening the 21st, by order of Mr. Patton the chief constable. Deponent asked Colonel Verner if he would bring his arms to Maghery; he told deponent to bring his side-arms; left another policeman named Gallagher at Churchill; deponent and the two men of the party went on to Mr. Crone's, and waited there till Colonel Verner and Captain Lloyd came down; waited there about three quarters of an hour; when they came down deponent went into Maghery along with them and the two men; when deponent got into Maghery, Colonel Verner called the two Campbells, as he believes, and Magee; saw Henry Campbell and Magee there; Colonel Verner called them forward in the Diamond, and was near enough to hear what was said; is not sure of the exact words he said to them; thinks what Colonel Verner said to them was about the damage of the drums. Whilst Colonel Verner was speaking to the men, he saw the party coming forward into the town; Captain Lloyd was in the Diamond at the same time; Colonel Verner sent Mr. Lloyd, and requested him to prevent the party from coming forward until he (the colonel) would have everything arranged; they rushed forward, Colonel Verner and deponent with him, to prevent them from coming forward. Colonel Verner repeatedly told them to go back, and not be coming forward, (no damage was done at this time); the colonel told them that if they would come forward, he would punish them as far as the law would permit; this was outside the town; if there was any damage done, deponent did not see it; the party said they would go forward, and would not be prevented, and play through Maghery. About that time Colonel Verner read the Riot Act; Colonel Verner then pulled the drum from the man who had it, and would not allow him to play it, and the colonel gave the drum to deponent; two or three of the party then pulled the drum from deponent, and would not allow him to keep it, and broke the straps of it; deponent then saw a man break Megarry's windows; deponent does not know the man that Colonel Verner took the drum from; does not know the man that took the drum from him; does not know the man that broke

Megarry's

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Megarry's windows; deponent went over to prevent the man from breaking Megarry's windows; a man came up with a pole and bayonet on the end of it, and said he would run it through deponent if he would interfere; deponent does not know that man; would know him again if he would see him; never saw him since; the party then broke off into the fields, and went across into the town; Colonel Verner then went to prevent their breaking a house, and a man leaped up in a ditch with a gun to his shoulder, cocked, swore he would blow the contents of the gun through the colonel. When deponent saw the man cock the gun, he ran up to prevent him, upon which three others ran at deponent; swore he was paid for doing his duty, and if he would interfere they would run him through; Colonel Verner saw a man take up a stone; the man was breaking a door; the colonel ran up and struck the man with his cane to prevent him; the colonel saw a man breaking a press in Megarry's; he put them out by the door, and they went in again through the windows; does not know the man that cocked the gun at Colonel Verner; he was dressed in a blue coat and blue trousers; he was a man as tall as deponent; does not know any of the three men that laid hold of deponent; did not take any particular mark of the man that cocked his gun at Colonel Verner; took notice of the clothes he wore; after that the party went home, and deponent went down below Mrs. Campbell's, where a lighter was lying for Moneypenny; deponent then saw Mrs. Campbell's house all broken; sometime before Moneypenny was sent down by Colonel Verner to protect his (Moneypenny's) nephew or uncle to his boat, in consequence of a complaint he made to the colonel of having been abused; deponent went home to Churchill shortly after, and thinks the party were halfway home before he left Maghery; the last that deponent saw of the party was when they were passing Bob Crone's house, at which time deponent was standing at Mrs. Donnelly's door, which was open, speaking to her; she had called deponent to go in and look at her house, where her things were burnt; saw a hole burnt in the centre of a quilt; she showed deponent a parcel of shirts and things on the floor, partly burned; deponent on returning on the road to Verner's-bridge, did not see any more of the party; does not know what became of Captain Lloyd; saw him leaving Maghery; the party had left Maghery, all but three that ran across the fields to join the party, when deponent saw Captain Lloyd leaving it; deponent is not sure whether Captain Lloyd or Colonel Verner left Maghery first; thinks they both left it together; deponent does not know any man that he saw doing mischief in Maghery that day; does not know any man that he saw with arms, from the time he left Verner's-bridge till he got back, either in the town or upon the road, or in any field, or upon the road side; deponent endeavoured to take one of the party into custody, when he was breaking the windows at Megarry's house; could not take him, as he was prevented by the other man, who ran at him with a bayonet; did not attempt to take any of the party into custody (in the morning) at the bridge, as the colonel ordered them to go back; deponent when he came back, met Mr. Dutt and the Dungannon police at the corner of Colonel Verner's gates; did not mention to them that a man had attempted to shoot Colonel Verner; the two men that went to Crone's house with deponent, went back with the party; deponent saw them at Megarry's endeavouring to prevent the men from going into the town; did not see them afterwards; it was midway in the town between Megarry's and the Diamond, that the man presented his gun at Colonel Verner; deponent is sure of that; it is about seven or eight perches from Megarry's house, opposite another Megarry's house (opposite Henry Megarry's); the party that came with arms were there at that time; is not sure where Captain Lloyd was then; the Colonel and Billy Fox were near deponent at that time; Billy Fox was within three or four yards of deponent; does not know any other person who was; the windows in the town were all broken, and the presses and dresses, a good number, all he saw were broken; saw a house in a field smoking; it was two or three fields off the road; inquired the name of the owner of the house, but disremembers it; deponent saw the men march up to the bridge in the morning; they marched in regular order, all in a lump, across the whole breadth of the road; deponent has inquired through the neighbourhood of different persons, to try and find out who the men were, and could not make them out; inquired of Ben Murray and others; inquired of the Dungannon police if they had met the party, and they said they had met the party near Killyman, about two miles from the bridge; deponent does not know, and could not discover, any one of the perpetrators of that offence; does not know any of the men who were beat on Saturday, never heard the names of any of them; neither Williamson nor the other man that went with deponent from the bridge had arms; went with them to Mr. Crone's, and left Mr. Crone's house with them before the party came up; deponent declares that he did not accompany the party from Crone's to Maghery, and was such a distance in front of them that he did not know they were coming after; and deponent saw the wrecking party leave Maghery; did not see any of them leave Maghery by any other way but Verner's-bridge; did not see any persons, either with or without arms, quit Maghery by the fields, or any other direction; did not see any of the persons, either with or without arms, come to Maghery on that day by the fields; did not see such a weapon as a scythe that day; at the time the gun was presented at Colonel Verner, Moneypenny, the policeman, was in the party striving to keep them back; Moneypenny was not at the bridge when deponent left it; he had not returned from Portadown, and supposes that he had followed deponent down, as he afterwards saw him in Maghery with his gun, doing his duty.

There were notices of a meeting of magistrates posted up by deponent on the Wednesday before the meeting, which was held in Maghery, on Thursday the 25th; they were written notices; the following is a true copy of the notices posted by direction of Colonel Verner:

"Take Notice.—An investigation will be held in Maghery on Thursday next, the 25th inst., at the hour of 12 o'clock in the forenoon, by the magistrates composing the Portadown

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down district, to inquire into the particulars of the outrage which was committed in that place on Monday last, of which all persons concerned are required to take notice."

Colonel Verner desired deponent to post them up in Maghery on the door, and to acquaint the inhabitants of the purport of the notice, which deponent did.

Deponent attended on the day of the investigation by the magistrates; Mr. Patton was there that day; Williamson told deponent that he lived in Tyrone; deponent did not ask him where; never inquired since; the other man told deponent of the abuse that he and the party had received the Saturday before in Maghery, this was as deponent and they were going to Crone's house from the bridge, they said Williamson was not of the party on the Saturday; when deponent saw the party coming to the bridge, the men with guns, two and two, were marching as he would march a party to parade, in rank and file; made no inquiry at any house along the road to discover any of the party, except at Murray's, because he heard they were drinking there; deponent saw no persons of the party or others carrying bundles or parcels on that day.

Sworn as before. *Wm. Crawford.*

Joseph Gallagher, sworn; is sub-constable of police; was at Verner's-bridge the day that Maghery was wrecked; has been stationed there, since July 1829; saw the party first he thinks between nine and ten o'clock; cannot be particular about the hour; saw the party on the bridge; deponent was on the road opposite the barracks; they had music with them, they had a fife and a large drum; they marched in military order, they had muskets and bayonets, and might have others besides muskets. Some others that came after had poles with bayonets on them; saw some two or three after the party had marched up, opposite Mr. Thompson's inn, with belts and pouches; deponent got no directions to go to Maghery, and remained at his barracks; did not see Captain Lloyd coming up at first, until the return of the party; deponent was about 300 yards from the bridge, and observed the party go back from it after Colonel Verner went down to the bridge, the colonel had desired deponent to call the sergeant; after that deponent saw them cross the bridge, before which Crawford the policeman had gone on Maghery; saw one boy standing on the right pillar of the bridge; saw the rest of the party that deponent saw coming at that time come through the gate; saw the men with arms come through the gate, thinks they had no music then playing, is not sure whether they had when passing the police barrack; saw the party on their return, and saw two gentlemen on horseback, one of them was Captain Lloyd, the other he did not see his face and does not know; the two gentlemen were riding together, partly in front, not immediately in front, a little to the left of the files; they had music then; it was playing; is not sure of the time; they were marching in military form at that time; thinks at the lowest calculation there were upwards of 20 guns, and bayonets on most of them, with the party when returning; did not observe any guns without bayonets; Captain Lloyd was not two yards from the party at the time he saw him.

Does not know any of the men with arms or without them that he saw with the party that day, nor does not know the names of any of the party he saw that day.

At the time deponent saw the men with accoutrements, the party had passed over the bridge, they (the men with accoutrements) were standing opposite Mr. Thompson's inn; did not see of the party who came over the bridge having accoutrements, any that he could distinguish clearly; did not see those men who had the accoutrements with the party who came over the bridge and went to Maghery; did not observe any accoutrements on any of the party on their return; deponent's duty lies in the county Armagh side of the bridge.

Joseph Gallagher.

Sworn before us at Lurgan.

W. Blacker. *W. J. Hancock.*
Jas. Forde. *W. W. Algeo.*
Wm. Verner.

John O'Neill, sworn; is Lieutenant in the Churchill Yeomanry Corps; was near Verner's-bridge on Saturday the 19th November, at an inspection; was not at the bridge on the Friday. It was about three o'clock on Saturday that he heard a party of persons had been beat that day at Maghery; heard from Robert Crone that a person had told him that the party who were beat would go back to Maghery to take satisfaction or revenge; mentioned this to Colonel Verner, who said you had better go to Billy Fox, meaning that deponent should consult with him as to the best means of preventing it. None of the men who were beat that day complained of having been beaten to deponent, but a man of the name of William M'Kittrick, who says he was beat, has since complained to deponent thereof. Did not see the party return that day from Maghery; thinks the first intimation he had on Monday of the Maghery business was about 10 o'clock, near 10, between nine and 10; lives a mile and three-fourths from Verner's-bridge by the road; there is a short way across the bog, which is little more than a mile from Verner's-bridge; lives in the county Armagh; got a note from Colonel Verner on that morning; has not that note with him now, but recollects the purport of it; has made diligent search for it, but cannot find it; heard drums beating before he read the note; that was the first positive information he had of it, but did not know the object of it; but could not tell what it was about; was not positive of any meeting until he got the note from Colonel Verner; the purport of the note was as follows:—"I am afraid there will be bad work in Maghery. Jackson Lloyd and

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and I are going down in order to prevent it; will you have a few steady men ready in case I should need your or their assistance, or follow me down," with the initials of his name, "W. V."

In consequence of receiving said note, deponent beckoned to one of his labourers, and sent directions by him to collect a few steady men, to be in readiness, with directions that the men should not leave their houses, but watch a signal agreed upon, and in case they saw that signal, to go to the demesne of Churchill; the signal was the lowering of a flag that was at Churchill-house; deponent gave that signal near 11 o'clock by lowering the flag, which was within 10 yards of Churchill-house. After deponent had sent the message, he walked across the bog to Churchill, and sent his horse round by the road with his servant boy. When deponent got to Churchill, which was near 11 o'clock, Colonel Verner had left it a good while. It was near 11 o'clock, but cannot be correct as to half an hour. Deponent remained there about 15 or 20 minutes; having made inquiries in the meantime he lowered the flag; he sent Thomas Kennedy to meet the party he supposed would come in consequence, and told him to desire the party to remain at Derryredd, the nearest point to Maghery, and not to leave that until they should get instructions from deponent. Deponent then mounted his horse and rode towards Maghery.

When he got about 10 perches past Robert Crone's house, nearer Maghery, he met a number of men coming out of Maghery; he asked them what they had been doing. Some of them were armed with guns, some with bayonets on them, and some with bayonets on poles, and several, the greater number of the crowd, had no arms. Several people answered, saying they had wrecked the houses in Maghery; the term deponent does not recollect, but that is the usual expression. Jackson Lloyd was riding with the party; deponent turned about with him, and came back to Robert Crone's; and deponent there stopped on the road facing Crone's house until the crowd should pass by; Mr. Lloyd did not remain; deponent had not been there more than a minute when a man came to him and said (Henry Megarry is the man's name,) that they were wrecking the houses up that road, and begged of deponent to go and prevent them. In consequence of this deponent turned his horse and rode quickly up that road to one of the houses of the Megarry's, and saw a number of people hauling and abusing the family in that house; they were at the door and the family inside, endeavouring to protect themselves from being injured. The men who were attacking the house were calling out in a most violent manner to the people inside to give them out the barrel of the gun. The men being armed, deponent laid hold of one of them, and attempted to pull him away, which he found he was unable to do, getting no assistance; and the people of the house having been pulled out, deponent entreated them to run away. Some of the family got into the house again, which of them he does not know; and the party then, if possible, become more violent in their attack. Deponent fearing lives would be lost, then called out to some of the family, "for God's sake give them out the barrel of the gun, and save your lives." Immediately after deponent saw James Megarry dragged out from the door, struck and knocked down, and got a very violent kick in the jaw, so violent that deponent heard the sound of it. At the same time, another of the assailants made at James Megarry's back with a fixed bayonet on a gun. Deponent then spurred his horse, and rode against the assailant, and saved Megarry, who leaped over the ditch. After this, no resistance was made by the family, and the assailants proceeded to wreck the house, which they did in a very violent manner, and broke all the windows, and no resistance offered by any of the family; they smashed the furniture inside of the house; deponent does not know any one of the persons who were there at that time, or any of the persons engaged in that outrage; thinks there were about five men engaged in that outrage, but in the confusion cannot be certain; saw two guns with them, the stock of one was broken; thinks, but is not positive, that another had a bayonet, and the remaining two had clubs or bludgeons. About the time that deponent saved Megarry, or a minute or two after, Colonel Verner rode up and called them villains, and desired them to "get out of that you villains," and struck one of them a very violent blow with his cane, and ultimately succeeded in getting them away, but not until they had done a great deal of mischief to the house and furniture; there was one of them whilst Colonel Verner was there, a desperate fellow, who had a blue coat on him, and had a firelock, ran to one of the broken windows, presented a gun apparently to shoot the family; Colonel Verner dashed forward, called to him, and he desisted and went away. Deponent did not see his face, and could not identify him; he was a man about as tall as Mr. Hancock; does not know who he was. At this time another fellow came running up with a very thick bludgeon, and made a violent blow at either James or Henry Megarry, who was looking out of the door, which blow he escaped by drawing his head, and the bludgeon broke against the door, on which Colonel Verner struck the assailant over the head and staggered him. The assailant was a decent looking fellow, well dressed in a brown coat, and was a low thickset fellow, active; deponent does not know who that man was, he did not fall, but went away sulky, looking after the rest of the party, and pitched the other end of the stick that remained in his hand over a ditch, and followed the remainder of the party, who were then a considerable way on their road to Verner's-bridge; deponent then went into Megarry's house, and found the old man and woman complaining badly, as if they had been badly used. Deponent then mounted his horse, and rode off to Churchill, accompanied by Colonel Verner. When deponent got to Churchill-gate, the main body of the party were passing over Verner's-bridge; deponent went with Colonel Verner to Churchill-house, two or three hours, and then returned home. Deponent saw Robert Kilpatrick in the crowd, when he met the party at Crone's house; thinks he was one of them that answered, and said they had

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wrecked Maghery; saw also David Cummins in the crowd, and a man named Fulton; thinks Thomas is his christian name; they are both from county Tyrone; is positive Fulton had no arms; thinks Cummins had no arms either, but is not certain. Fulton's house is on the road between Simon Bortree's and Moyrow-corner; does not know any other person from the county Tyrone who was in that crowd, nor any one of the county Armagh, but William Fox and Thomas Billsland; did not see him in the crowd, but on the road between Robert Crone's and Megarry's. Saw also Reynolds, Colonel Verner's butler, standing with them; saw no person else on that occasion, or at that time, that he knows or can recollect. Deponent knows nothing more of the transaction; when deponent met them near Crone's, there were drums beating, and they were coming slowly along the road; thinks the drums were beating when the party was going over Verner's-bridge on their return; is not quite certain; there might be 10 or 15 of the Churchill yeomanry who live within a mile of Churchill-house; is not quite sure of the exact number; thinks there can hardly be so many; does not know how many yeomanry live between Verner's-bridge and Maghery; taking that line and a quarter of a mile on each side of the road, there may be from 15 to 20, or there may not be so many; did not give any special directions to his messenger as to accoutrements; rather thinks that he gave directions that the men should bring their arms; is not sure, but directed that they should not run nor appear in a hurry, lest it might create an alarm in the country; did not see any of those men that day, but on coming to Churchill-gate inquired for them, and was told they had gone home; by whom he was told, he does not recollect. Was in Maghery the day the magistrates were there; gave no evidence; was not examined at all; had he known any of the persons that he saw do mischief, he certainly would have no hesitation in telling their names to the magistrates if asked to do so on that occasion. When deponent was coming along the road to Crone's house, the people, men and women, were standing out on the roads waiting or watching, or listening towards Maghery, seemingly anxious to know what was going forward; and as he passed John Jackson's, some one said "You are too late." Deponent was riding very fast, and could not pay attention as he passed. John Jackson lives on the road side, and is permanent sergeant of the yeomanry; cannot say whether he saw him or not on that day. Deponent saith, that it is and has been customary to have a flag flying at Churchill when Colonel Verner is at home.

John O'Neill.

Sworn before us at Lurgan.

W. Blacker,
James Forde,
Wm. Verner,
W. J. Hancock,
W. W. Algeo.

Edward Fox, sworn; is employed to take care of Verner's-bridge; is employed by W. Thompson; deponent get all the profit of the bridge over the rent paid by Colonel Verner; recollects the day that Maghery was wrecked; has lived in that country all his life; was born between Portadown and Verner's-bridge; has been living at the bridge three months; lived before he came to the bridge between Maghery and the bridge for 20 years and upwards. Colonel Verner desired him to lock the gates; he did lock the gates and fasten the side doors by Colonel Verner's directions on that day. Some of the people climbed over the gates, and some over the pillar; the men passed over the bridge betwixt a quarter and half an hour after Colonel Verner and Captain Lloyd left it; some two or three climbed over, and when Simon Bortree came with his horse from Thompson's through the gates was locked; deponent unlocked the gates, and Bortree went through with his horse, and he and they went back towards Ben Murray's. Whilst they were away, deponent let some carts and horses through that had been waiting, one of the carts belonged to Mr. Hayes, and the other to Mr. Cayne, and the other to Paddy Grimley; deponent then locked the gates and made some breakfast for himself; deponent then looked out to see, and saw there was no alarm. Saw the load of hay nearly filled in the county Tyrone side; deponent then unlocked the gates and left them open; went in to take his breakfast, and during the time he was at breakfast, heard a rattle come down the bridge that he thought was a coach; deponent ran out to see, and it was the men coming when he had got to the gate; there was a number of them through, supposes there might be 20 of them through; deponent then went back to lock the gates, and they prevented him till the crowd slacked; there might have been 10 or 12 that could not get through; some of them remained, and some of them went back. Cannot say how many there were staid; some of these 10 or 12 remained till the other party came back; does not know who the two or three were that climbed over the gates at first; knows none of them that forced through the gates but James Dunn, and him deponent caught and pushed back to the Tyrone side after the great rush was over, and the slack came; he had no arms, but endeavoured to force through. On his oath, deponent knows no other person of the whole party but him; was not paid by any of the party, save by one or two, but they said they were travellers; the others did not pay deponent either going or coming; did see them coming back, does not know any one of them that came back; did not see Captain Lloyd returning; he did not pay deponent; deponent was in the house when he passed; deponent was not paid toll by him or any of them. After they had all passed, there was a condition made to open the gate for Paddy Grimley's cart to let it through, and that those men that remained should not go any further; and deponent opened the gate, and it remained open from that forward; deponent was in the house and out of the house for a considerable time; deponent is a brother of Billy Fox. Paddy Grimley was driving his cart himself; he had a man along with him pitching

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pitching hay; he Paddy Grimley lives in Clanmore, county Armagh; did not see Dunn pass over the bridge afterwards to his knowledge. Cannot see Murray's public-house from the bridge. When the party were coming back the party dared deponent to look toll for it, for if he looked toll they would give it to him; deponent was afraid to look at them for fear of being injured. The drums were beating when they were coming back to the bridge; deponent did not come out any further than the door, when the party came up; from the crowd coming, and he afraid of them, he did not wish to ask tolls of them; he saw the crowd before they came up to the bridge: he saw them betwixt the barrack-gate and himself, and did not see Captain Lloyd then to his knowledge. Deponent has no family but himself, has no person living with him at the bridge; did not see his brother Billy after Colonel Verner and Captain Lloyd had left the bridge before they forced through; deponent saw the party pass through on Friday. On his oath, he does not know one of the party that passed through the bridge on the Friday; they had music with them. Saw them return on Saturday night; does not know any of them he saw return on Saturday night; they paid no toll either on Friday or Saturday.

Edward Fox.

Sworn before us at Lurgan.

W. Blacker. *W. J. Handcock.*
W. W. Algeo.

Daniel Kilpatrick, sworn.—Is a blacksmith to trade, lives in the townland of Derrycohane, near hand Verner's-bridge, in the employment of Colonel Verner as a tradesman, doing his business when called upon; deponent was in Maghery on Monday the 22d November last; went there to protect and defend Maghery if he could, and to assist Colonel Verner all that was in his power, thinking it his duty to do the same; went in company part of the way with Stewart Moneypenny, the policeman, and partly by himself; deponent left Colonel Verner's gate, not the town of Verner's-bridge, but Colonel Verner's gate, about 11 o'clock; thinks it was not more than half-past eleven when he got to Maghery; it was nearly to one o'clock when he left Maghery to return; it was betwixt twelve and one o'clock; deponent saw a great deal of mischief done when he was there; returned from Maghery partly by himself through the people now and again; deponent does not know the names of any one of the persons that he saw doing mischief; deponent did not see the party marching, but saw them going in an irregular way, both to and from Maghery; they sometimes had drums beating; saw arms with the party; saw guns; supposes there might be between 30 and 40; saw bayonets on some of the guns; saw Colonel Verner's gatekeeper, John O'Neil, with a gun; first saw him at Maghery, at this side of Maghery, going towards Maghery, walking in company with one or two persons; had a gun; that person's name is Robert or Bob Neil, he is some kind of a bailiff to Colonel Verner; deponent does not know on his oath any other person that he saw there that had a gun, to his knowledge, except Moneypenny, the policeman. Deponent saw the party cross Verner's-bridge to the county Tyrone; deponent was not a quarter of a mile from the bridge at the time he saw them; deponent on his oath does not know any one of the party that went over the bridge, only Captain Lloyd, and he was not just with the party, he was behind the party; no person desired the party to ask for his expenses here to-day; heard of the notices which were posted about Crone's house, but knows nothing of them; deponent saw the party come from the county Tyrone across Verner's-bridge into the county Armagh; deponent, at the time he saw them, was going from Churchill to home, he intended; the whole party passed close by deponent as he stood upon the road; cannot say positively that some may not have passed before and some after, and they proceeded in the direction of Maghery; deponent knew none of their names; thinks he saw some of them before; has seen them in the county Tyrone; has met them on the road when he was going to Dungannon occasionally; cannot say where they reside. Deponent never was examined by any one as to whether he could assist in discovering the party; was not summoned or noticed to attend the meeting of magistrates in Maghery; deponent saw the party that came over the bridge on the Friday, saw them at such a distance that he could not distinguish any of them; was upwards of 100 yards distant from them. On his oath deponent does not know any of them; saw them on Saturday on their return; saw two or three of them with cut heads; saw James M'Goingle, who was stabbed in the head with a pitchfork; does not know any of the others; saw them complaining to Colonel Verner on the road on Saturday, of the abuse they had got, and of their music being broken; the party were scattered on the road, and cannot tell any of them; there was a man he heard was Richardson, heard his name mentioned, but does not know him personally; is sure of another man of the name of William M'Kittrick being there; swears that he cannot say that he saw any other person that he knew there; there was a good many people on the road on Saturday when deponent came up; saw some yeomen pass by on the road going to inspection; when in Maghery, deponent saw a man present his gun at Colonel Verner, and use some expressions; the man said that any one that would presume to take the gun from him or come near him, he would put the contents of the gun through him, if it was Colonel Verner himself; Colonel Verner touched deponent on the shoulder, and desired him to lay hold of the first man who was going forward, which deponent did, and the man threatened to strike deponent with a bayonet if he would not desist, and thereupon deponent being afraid, immediately dropped him; does not know who he was; deponent saw Colonel Verner endeavouring to prevent different people from going forward, of those who were disposed to do mischief; saw a man with a bayonet on

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a pole up near the Diamond; deponent strove to prevent that man from getting into a house; the man said to deponent, stand back, that he would put it (meaning the bayonet,) into him; and that if it was Colonel Verner himself, he would do the same to him; does not know who that man was; deponent knows Magee's house, was in it that day; knows John Campbell; did not see him in Magee's house; saw Colonel Verner in it; did not hear him make use of any expression to the people in that house; deponent is acquainted by sight or personally with all the members of the Churchill Yeomanry Corps; did not see any of them take any part in the outrage committed at Maghery that day; deponent was getting orders for window cars at Churchill, the morning of the day he saw the party; the people were scattered along the road as he went; it was difficult for people passing along the road to avoid appearing to be with others, although not of the same party; John O'Neill was not one of the party that came over the bridge, Bob Neill was not of that party; it was at the end of Maghery town that deponent saw the man present the gun at Colonel Verner; the man was dressed in rather an ordinary kind of way; thinks he had a brown coat on, to the best of his knowledge; thinks he had dark pantaloons on him; is not just sure of the colour, but rather thinks they were dark; deponent took particular notice of that man, and would have known him in two or three days after, but cannot say he would now; he was a middle-sized man, and was standing on rather the edge of the road going into the very town; had passed one house; thinks it was Megarry's; deponent had nothing but his rule in his hand from the time he left Churchill till he came back; but laid hold of the gun which the man presented at Colonel Verner, and also of the gun of the man that Colonel Verner desired him to fetch back, and that said he would stick deponent with a bayonet; deponent saw the party at that time that Colonel Verner prevented them going forward after the gun was presented, and saw them divide and go across the fields.

Daniel Kilpatrick.

Sworn before us at Lurgan,

W. Blacker, *W. J. Handcock,*
Jas. Forde, *W. W. Algeo.*
Wm. Verner,

Stewart Moneypenny, sworn.—Is sub-constable of police, was in Maghery on the 22d November; did not go with Crawford, but went after returning from Portadown; went in consequence of something he heard from Thompson the innkeeper, of Verner's-bridge, and heard the party had gone to do mischief, and the Colonel and police were gone down to prevent them; deponent was applied to by his nephew for protection; was also applied to by Donnelly's wife, to whom he said he had been sent down by the Colonel to protect his nephew to the lighter, and that if she would stay there a few minutes till he came back, he would go up with her; the person that deponent had been sent to protect to the lighter, had been severely abused; deponent did not see him receive the abuse, he saw the marks of it on him; he was cut severely across his arm with a bayonet; does not know by whom he was abused; does not know any of the persons who were engaged doing the mischief, they were all strangers to him; deponent remained in Maghery, and did not see the party go over the bridge; did not see any man that he knew with arms on that day, nor any one in Maghery except Colonel Verner, Captain Lloyd, the serjeant of police, and Billy Fox, who were keeping the party back; deponent has been stationed at Churchill for six months, has been engaged a good deal on duty through the country; deponent had his own firelock with him in Maghery.

Stewart Moneypenny.

Sworn as before.

William Fox, sworn.—Is employed by Colonel Verner as bailiff; saw the party that came over the bridge on Monday morning the 22d November; first saw them on the top or middle of the bridge; was not by when they came through the gates; next saw the party near Robert Cotton's of Derrylee; they were the ngoing towards Maghery; assisted Colonel Verner at the entrance of the town to prevent their getting in; did not see the party going over the bridge on their return, remained along with Colonel Verner behind. Deponent does not know the names of any of the persons that he saw doing mischief; saw several persons there with arms; did not know one of those with arms in Maghery; saw Colonel Verner's gate-keeper going down with his gun; thinks it was in the town of Derrylee he saw him; did not see him in Maghery at all. Deponent positively says that he does not know any other of the persons that he saw with a gun, or other weapon, from the time he left Verner's-bridge till he returned. Deponent, on his oath, does not know any one of the persons that came over Verner's-bridge, or elsewhere, that day to attack Maghery; does not know any persons of the party, or were with the party, that attacked Maghery; saw a man at the head of Maghery present a gun at Colonel Verner; does not know who that man is. Deponent had no arms himself; had not a gun in his hand that day; does not know where the party came from; heard them say they came from the county Tyrone. Deponent has lived in that neighbourhood between 20 and 30 years. Deponent saw the party that passed over with music on Friday, and saw them after they were beat, on their return, on Saturday; there was one of the party spoke to deponent as he passed, and told deponent his name was Robert Donnelly; there was a Mr. Dawson going alongside of the party on Friday; he was not in the party, but near it. Deponent on his oath saith, that he did not, and does not, know any other of that party. Deponent saw either four or five sticking

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sticking on the gates of the bridge, endeavouring to get over, and he then ran to tell the colonel; does not know any of those. Deponent did not see any of the Churchill corps aiding or abetting in the outrage that day; knows all the Churchill corps. Deponent was not farther in Maghery than the Diamond, or centre of the town, and that only when we first came in; did not see a man with a scythe that day. When deponent was going forward to M'Garry's house he saw a man having a gun at the kitchen window taking aim in; saw Colonel Verner strike at that man with a stick; the man went by at that time, that is, desisted; is sure he would have taken bad aim, as he was working about at the corner. Deponent is sure that he would have done mischief. Deponent then ran into the door; when he went there was three in it; found the old man and woman and daughter in the house, they were holding the old woman up. Deponent knows John Maguire, he is servant to Archy Smith, and lives the next door to him; did not see him that day; does not mean to say that he was not there, or could not be there, at Maghery, that day, without seeing him. Deponent was not down towards the Widow Campbell's that day. Deponent rode the whole way from Churchill to Maghery with Colonel Verner that day. Cotton's is a little better than a mile from Maghery.

William Fox.

Sworn before us at Lurgan,

W. Blacker, *W. J. Hancock,*
James Forde, *W. W. Algeo.*
William Verner,

W. W. Algeo, Esq. sworn.—Was in Maghery on the 24th of November; had a conversation with Colonel Verner that day, who told deponent that there might be a meeting of magistrates on the subject; that he (Colonel Verner) expected the answer every moment, and that if it arrived he would leave a note for deponent at Thompson's; deponent went on to Maghery, and after viewing the damage done there, he told the people that a meeting would take place, and the business investigated, and that he expected a note from Colonel Verner at Thompson's, fixing the day of the meeting of magistrates; deponent told a boy who was sitting beside the driver of a carriage, to get up and come with him to bring back word. On arriving at Thompson's between three and four o'clock, deponent got a note from Colonel Verner and sent that note or word back that the meeting would take place in Maghery the next day to Joe Campbell; thinks to Joseph Campbell; deponent was at the meeting of magistrates the next day in Maghery, and told the people the meeting was to take place, and if they had anything to say to come forward, and particularly left word at Joe Campbell's house, who was from home; deponent was surprised as well as the other magistrates, that the people did not come forward; deponent saith that Sarah Campbell did not then, or at any other time, mention to deponent that she could tell the names of any of the party who had been doing mischief in Maghery; she did not tell deponent that day anything about Cotton or any other person; did not at any other time tell him anything about Cotton; deponent did not see her or examine her at all that day; she did not tell her story that day to deponent; there was no information given to deponent but in the presence of the magistrates; deponent examined the houses in Maghery that day, found the furniture broken and much injured; the houses were nearly all without windows, and hardly a whole pane of glass in the whole town; the town had the appearance of having been plundered and sacked by an enemy.

Wm. Blacker, Esq. sworn.—Was present at the investigation by the magistrates in Maghery, and took the most leading part in the investigation; Sarah Campbell was not examined by the magistrates on that day.

Sworn before us, at Lurgan,

Jas. Forde. *W. J. Handcock.*
Wm. Verner. *W. W. Algeo.*

Pat M'Court, sworn.—Is a carpenter; was employed by Mr. Algeo to examine the houses in Maghery about 8 days after the wrecking; deponent saw 28 houses with windows broken, without sashes, and the holes filled up with straw; the number of windows broken on the 28 houses were 97 sashes; the hall door on Joe Campbell's house was damaged; deponent is not sure whether there are any other houses in the town that were not damaged, but examined the houses that the neighbours showed him that were damaged.

Sworn as before. *Pat M'Court.*

Joseph Campbell, son of *Peter Campbell,* of White Island.—Saith he recollects the day that Maghery was wrecked; saw the party going into it that day; recollects Wm. Jackson going into it that day with arms, between nine and ten o'clock; as near as he recollects, there were others on the road at the time, a great many; did not see any other persons with arms that he knew on the road; when deponent saw Wm. Jackson he was standing at his father's door, about seven or eight perches off the road; recollects when the party were coming back from Maghery; his father came up to the house at that time; said something and went to the road again; did not see him come back to the house again; deponent went to the road about some minutes after; does not mind meeting his father; saw Colonel Verner; heard his father say that it was Colonel Verner saved their house;

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deponent saw the Colonel go up towards the house, and afterwards heard his father say that it was he saved the house; the Colonel was walking pretty smartly on foot; after that deponent went into Maghery, was sent into Maghery with Wm. Mullen; heard there was a fire; saw the smoke, and he and Wm. Mullen went as fast as they could to put it out; it was Hugh Neill's house, who lived under the roof with Tom Hagan; the back of the house, the thatch of it was all smoking; went round to the front and got it blazing; got vessels of water and put it out; other persons assisted; deponent went into Thomas Hagan's house; saw him there; his cheek was bleeding where he said they hit him with the butt of a gun, he is an old frail man; went into his room where there were beds, and found a burning coal of turf rolled up among the clothes, and the bed clothes burning, the bed was on fire; deponent went into Joe Campbell's house, and saw his clock all broken, the inside works all shattered and twisted, and broke as if by a hatchet; his bed looked as if it was burned and put out, his curtains were burned off the posts; the rest of the furniture in Joe Campbell's that deponent could see, was broken; deponent saw Wm. Jackson go into the town of Maghery with a gun, did not see him come back with it.

Saw him going into the town between 10 and 11; he was with the party, and one of the party belonging to it; cannot tell any one else that he saw with a gun excepting him. Deponent was in Maghery on the Saturday, in the morning early; was at home at the time they came through Maghery; saw them coming at the road leading to Verner's Bridge, all apparently in a bustle, he not being sensible of what it was; deponent did not go down from his own house to the road; has brothers; none of them went down; has two as big as himself, and three younger; one of them is here in Lurgan. Did not see Colonel Verner standing opposite deponent's father's house on the Monday, when he met Colonel Verner in the lane. Deponent went on to Maghery; knows most of the people in and about Derrycorr and Derrylee; saw William Mullen there; saw William Fox; saw Robert Crone; that he is sensible of; saw William Fox going towards Maghery, and going up towards their house; did not see either Crone or Crawford in Maghery that day; saw Crawford going towards Maghery, and saw Crone at the end of the Lonan.

Joseph Campbell.

Sworn as before.

Wm. Verner, *W. J. Handcock,*
Jas. Forde, *W. W. Algeo.*

Rev. *David Donaldson.*—Saith he is curate of the parish of Tartarraghan, in which the village of Maghery is situate, and knows the village very well; lodges at the house of Robert Crone, within half a mile of Maghery; saw a body of men pass by Maghery about half-past 10 on Monday the 22d November last; was in his room looking out of the window; several were armed with guns, some with bayonets in their hands, and some with sticks; and one man he observed having an old scythe; did not know a single individual of the party; was particularly upon the look-out to see if he would know any of the party; counted the guns, they were some number between 47 and 57, cannot be exactly sure which were carried past by the party; the party went past in that straggling manner that there was no difficulty in counting them; he counted that number, but can not say whether there were more or less there with guns, were between 20 minutes and half an hour passing; they passed in parties of six and seven, and perhaps 10 at a time. Deponent left home upon parochial business before the party returned.

Has been six or seven months living at Crone's; has been living there since the 10th of April, but was curate since 29th January before; is well acquainted with his parishioners, and their persons; most of them about where he lives, mostly all are his parishioners, and is well acquainted with their persons; did not see one individual of his parishioners with the party who passed Crone's; did not see an individual carrying a gun; he knew one person who had a gun, he knew his face, but not his name; had seen him somewhere before, and is not his parishioner.

David Donaldson.

Sworn as before.

David Patton, Chief Constable of Police.—Saith he does not know Sarah Campbell, the woman mentioned to deponent upon the 25th November last, mentioned to him the name of Cotter, as one of those who had been at Maghery the Monday before, nor any other day. And on the day the magistrates assembled, deponent could not get any information from any persons upon the subject of the outrage committed at Maghery upon the previous Monday, or any person concerned in it, although he went through almost every house to give them notice, and induce them to come forward. One woman deponent forced down appeared to get into a fit, which deponent believes was pretence; she gave no information whatever. One man of the name of Campbell, as deponent believes, said, on Tuesday he knew some persons in the crowd, but he did not attend on Thursday, though deponent made particular inquiry for him; some of the inhabitants said he did not live there at all; that he had gone away; he was a stranger; says he does not know Sarah Campbell by name.

David Patton.

Sworn as before.

Richard

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Richard Delworth.—Saith he recollects the police coming out of Dungannon upon Monday the 22d November last; walked nearly a mile of the way towards Verner's Bridge; met four men; two of them had guns; was with the police at that time; there was a body of men behind them in deponent's sight; stopped a bit with the two gentlemen, Captain Duff and Captain Murray. Mr. Duff and Mr. Murray spoke to the four men; heard a drum beating at that time. Knew a man of the name of Campbell; he lives down about Coal Island; he was one of the four; does not know his first name; went off by the mill by the breast head before the party. Did not go back with the party any part of the way; went to Jack Blevin of Demnesplin; does not know any of the party except Campbell. Is huntsman to the Dungannon Club.

Sworn as before. *Richard Delworth.*

DEPOSITIONS taken by Crown Solicitor at Armagh Lent Assizes, 1831.

John Maguire.—Was very well acquainted with Davy Fox; had known him for four years; did not speak to him that day. Saw James Delap there; had known him about a quarter of a year by eye-sight; had known James Neill about a month, and Robert Neill his father, and Robert his brother, about a fortnight before the Maghery business took place. James Neill had been in the habit of coming to the place where witness lived; knew John Cotton for four years; was very intimate, and had been at Sunday-school with him. The neighbour's boy with whom witness walked into Maghery after them is named James Ennis. Saw James Neill break windows with the butt of a firelock; cannot tell whose windows he broke. David Smith went into Maghery with the party; he told witness he did go to see if he could save Pat Megarry's house. Saw Hugh Neill's house on fire, together with Hagan's; both are under the same roof. There was a great multitude of people assembled; witness is sure there were 200 of them, principally armed with some kind of weapon; would know the man who said, waving the sword, "We are the boys could tear them up." Harry Megarry was stabbed with a bayonet in the groin; cannot say by whom, nor does he know the names of any of them then present. Mr. O'Neill, witness thinks, could have done more to prevent the damage to Megarry's house than he did if he chose; did not hear where this party met before they came to Verner's Bridge. Since witness's examination in January last, at which time he disremembered the names of other persons who were concerned; he has recollected that William Jackson of Derryleigh, son to a farmer, and Wm. Painter of Derrylimey, as he thinks, were of the party. William Jackson had a gun and bayonet; witness did not observe whether Painter was armed or not; they passed with the others before witness went to Maghery.

John O'Neill.—The lighter in which witness was on board, was moored within six or seven yards of the widow Campbell's house, and witness could easily distinguish what was passing in Maghery on the 22d November; witness and the lighter had only just arrived at the station she occupied, when he heard a drum; there were on board, besides witness, Pat Tennisson and his son; witness said to them, "Do you hear that drum?" he said he suspected it was beyond Verner's Bridge. Almost immediately witness observed at least 200 men running into the village of Maghery, almost all armed with some kind of weapon or other. The gun mentioned in his former information belonged to the lighter, and Tennisson begged witness to fling it into the canal, dreading they would be murdered if it was found. Tennisson and his son then got into the hold, and witness closed the hatch slide on them. They were natives of Maghery, and were afraid of being injured. Has known John Campbell a length of time; he lives in the next townland to witness; thinks he had a mounted bayonet. Thomas Campbell is brother to John; he had a gun and bayonet. Simon Cardwell is also a neighbour; knew him well. Is thoroughly acquainted with John Ash; they were different times together. As soon as one party would discontinue to damage the houses it would be succeeded by a fresh party, and thus the great damage was done, and but for this mode there would not have been a third of the damage done. Witness went into the widow Campbell's house after the assailants had left it, and found it terribly wrecked; there was not a pinsworth that was not destroyed. None of the persons he has named came near the lighter. Saw Mrs. Campbell wiping the blood from her face; she was wounded in the temple by a stab. The attack took place between 10 and 11 in the morning, as witness thinks.

Edward Megary.—Recollects the 22d November last. Witness's house was the first house attacked on that day. Witness was in his house attending his uncle, who was dying, when the party entered. A stranger to witness asked him to give up his arms; another ran at a shelf, pulled it down, and smashed the delph that was on it; the first man said that was mean work, and not to do it; the windows were then knocked in: they desisted for a time, but returned again, and re-attacked the house. Another fellow hit witness a blow of a stick on the arm; did not know any of them. Another stranger hit witness with a stick on the head, which cut him, and he bled profusely. Before witness was abused he saw a man, named James Dunn, with a gun and bayonet in his hand, standing on the road, and another man, named —— Kelso, with a gun and bayonet, standing on the road also; had known Dunn for a year, and Kelso half a year, seeing them in fairs and markets; was in the town on the Friday and Saturday before, but in no way concerned in the transaction that took place on Saturday.

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Peter Campbell.—Was very close to the party on the road-side, as they passed, and distinguished those he has named in his informations, being well acquainted with them before. Witness has six sons, not one of whom were out on the occasion mentioned by serjeant Jackson. Supposes the allegation made by Fox as to the Orange arch being pulled down on the 12th July by one of witness's sons (Joseph) is true. When witness heard the drum beat in the morning, he went to Derryeen, to ascertain what it meant, and there learned that the assemblage of the multitude took place at Verner's Bridge; was in Derryeen about an hour or a half when the multitude came up, and passed through in the direction of Maghery Before the crowd came up to Derryeen, witness saw a decent-looking young man conversing with one Smith at Robert Crone's house; Smith lives in Derryeen, did not hear this man's name, but will know him again; Smith was talking to this man about the abuse the party with the drum got the Saturday before: this man said, "the way would be to retaliate with severity." When the party passed through Derryeen towards Maghery, witness hastened towards Maghery, and this man was one of the five armed persons that witness saw on the occasion stated in his deposition; witness heard that the man was from Killyman, county Tyrone. Witness was in Portadown market on the Saturday that the mischief occurred.

Joseph Campbell.—Besides William Jackson, mentioned in his deposition, witness knew John Crawford; he was of the party that entered Maghery, as therein stated, but he was not armed; witness also knew William Fox, he was not armed; Robert Crone was also along with them, but not armed. On the Saturday before, witness observed the party from his own house, but he did not go near them; there is another, "Joe Campbell," living in Maghery. Witness knew two of the persons who were with the party on the previous Friday; Robert Crawford, of Derrylinny, beat the drum, and William Williamson had a gun in his hand; did not notice them on the following Monday.

William Millar.—Recollects the day that Maghery was wrecked; refuses to go further.

Samuel Lattimer.—Heard the day Maghery was wrecked; cannot say whether he knows of any of them who went that day to Maghery; cannot tell whether these persons were armed or not; refuses to go further.

Mrs. *Eleanor Campbell.*—Would not know any of the party; was dreadfully frightened and confused at the transaction; gave the gun she has mentioned in her informations to a man named M'Conville, to preserve it for witness.

Catherine Donnelly.—Is also ignorant of any of the parties concerned.

John Campbell.—Does not know any of the party he saw on the 22d November doing damage. When witness got into the house into which he sought shelter, he was obliged to keep within it.

John Christy.—Saw William Hazleton; knows him 10 years. On the 22d November he had a sword, he was coming home after the job was over; David Cummins had a gun, he was in front of the whole; James Dunn had no arms; Hugh Donnelly had not a gun; John Cullen was next to a man who had a gun; George Askin had no gun; Thomas Askin had a gun: the Collins named by him, is called Cullen or Collins. Witness was at one time within 55 yards of the party, and when they were going to the job, witness was not a greater distance from the party than 10 yards, and on their return was within 15 yards of them.

Benjamin Murray.—Is not acquainted with the master of a lodge named Dawson; does not know a man named William Richardson; did not afterwards hear where the party assembled on the morning of the 22d November; cannot give any other evidence than that he formerly gave. Witness has since heard that a man named William Kelly, one of the party beaten on the 22d November, is since dead of the beating he received.

Edward Fox.—Cannot add any fact to his former statement; at the time the occurrence took place he was rather a stranger to the neighbourhood, not having been there more than three months.

Samuel Lattimer.—Is a blacksmith; saw the party going to Maghery; did not know any of them.

William Millar.—Is also ignorant of any of the party.

Thomas Bone.—Lives on the road-side; heard the party going to Maghery, but is ignorant of any of them.

William Crawford.—Did not since hear the name of the man that was wounded in the head, nor the residence of the other delegate; did not since hear the name of the man that took the drum from witness, which he had received from Colonel Verner, and then broke it.

William Fox.—Heard yesterday that the party came from Monroe's Corner, 3½ miles from Verner's Bridge, county Tyrone; the serjeant of police told him so yesterday, that it was supposed to be the place the party came from. Understands that Robert Donnelly is the name of the man who spoke to him on Saturday, as mentioned in his deposition; did not hear where he lived. John is the name of the Dawson mentioned in his deposition.

Appendix (D. 2.)

(D. 2.)
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CORRESPONDENCE with the Magistrates and Chief Constables, &c. relative to Processions of Orangemen on 12th July 1833, in the County of Armagh, and the riots at Lurgan, &c., together with the Reports of Solicitor General Crampton, and the Minutes of Evidence taken at Tanderagee and Portadown, at the Court of Inquiry held in October 1833.

Sir, Portadown, July 13, 1833.

Being aware that Government was most anxious for the preservation of the peace on the 12th of July, I feel it is my duty to take the earliest opportunity of reporting the occurrences of yesterday in the district under my charge. I regret to have to state, that his Excellency's hope and wish, as expressed in your circular of the 28th ultimo, has not been fulfilled, as many mistaken and misguided individuals have taken a part in processions yesterday in this part of the country, contrary to law and to the welfare of society. At Lurgan, a procession of Orangemen took place, to the number of 500 or 600, and with the usual accompaniment of music and flags; but they received no opposition, and in the evening they separated without any breach of the peace having been committed. At Tanderagee, Richhill, Portadown, and Loughall, processions of Orangemen took place, similar to that which took place at Lurgan, and without any breach of the peace having occurred in consequence of their meeting, with the exception of Loughgall, at which place the Orangemen assembled and walked to the village of Milltown, and as one of the Orange lodges was returning in the evening, they were met by a number of Roman Catholics, and a collision was the result; stones were thrown, by which both parties received some cuts, and a shot was fired, (not yet exactly ascertained by which party, but said to be by the Catholics) which did not do any injury to any body. Summonses have been ordered by the bench at petty sessions this day to have the occurrence investigated.

I have only to add, that myself and the police under my command, have strictly attended to your circular of the 28th of June, with respect to noting the names of the offenders.

I have, &c.
(signed) *David Patton*,
Chief Constable.

Sir William Gosset,
&c. &c. &c.

I have acquainted the Sub-Inspector with the occurrences of yesterday in this district.

Sir, Carrick, Portadown, July 18.

I am sincerely grieved to have to report to his Excellency the change which has come over the state of this country since my communication of Friday evening last. It was then in a state of the most perfect tranquillity; the anniversary, which in my humble opinion had always the effect of a safety valve, had passed in peace, and the people in general had turned their backs upon politics for twelve months to come. It is at this moment in a state of the most fearful and universal excitement. Fourteen persons were yesterday arrested by the magistracy at Lurgan, the extremity of this county, for a breach of Mr. Stanley's Act on the preceding Friday. Having spent the day in a distant part of the county, I did not hear of the transaction until a late hour in the evening, when some persons who came for the purpose, informed me of the arrest, stating at the same time that the arrested persons had declined the privilege of entering bail, the assizes being so close at hand, and were to be conveyed to the county gaol this day, and that the county had determined on escorting them thither, a distance of nearly 14 miles; this I found fully verified this morning; the first indication being the almost total desertion of the persons in my employment, and I had nearly fifty hands in various branches of work, and a general stir in the country was visible. On this I felt it my duty to proceed into Portadown, which I understood was the point of rendezvous for the people of this quarter. On my way I passed great numbers of the people hurrying along, and could see them coming by other roads, and in some instances across the fields. I heard at this time that the magistrates having taken the precaution of sending off their prisoners at midnight, the escort had passed through Portadown several hours before. Hastening on I reached Portadown before more than a few hundreds had actually assembled, and them I found in the market-place awaiting the arrival of the others, and in a state any thing but placid at the disappointment. After consulting with Mr. Woodhouse, the resident magistrate, I rode in amongst them, and in a few minutes succeeded in causing them to disperse homewards and to turn back those who were on the roads; but the deep rankling excitation, the stern desperation of men, hitherto second to none in devotion to the law, is not to be described; I speak not of the rabble of the country, the feeling in general even so far as to be a matter of conscience with the religious. I should observe that there was not the least appearance of arms, colours or music. I have heard that similar gatherings were in process of taking place at the different cross roads along the entire line to Armagh, and the same will doubtless take place at the expiration of any sentence of imprisonment to which the men may be sentenced on conviction. Thus, instead of one procession in a mere holiday spirit, we shall have three, two of them, and those not illegal, in a spirit calculated to produce any thing but that harmony which every Christian man should wish to see prevailing. In this latter character I could wish to God that the vindication of the law, since the law it is, had been if possible reserved for those places where the peace had been broken, which was not the case here. Government must now I suppose go through with the business, and I should be the last man

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to counsel any yielding to popular clamour; but having once vindicated the law and shown their power to do so, I would take the liberty of suggesting clemency as the most effectual mode of producing that tranquillity and good order which they must have more at heart than punishment. Much allowance must be made, and I am sure will be made by a person of Lord Anglesey's high mind, for long cherished and hereditary feelings, to say nothing of their being fostered and encouraged by government after government for so many years, and I feel confident, from my knowledge of the country and its people, that it will effect more with them than all the laws the legislature could enact, or all the force Great Britain could supply to support them. I write warmly perhaps, but I write honestly; I have a stake in the country and I wish for its peace. I am a Christian, and I wish for "good will among men," both these have, I unhesitatingly aver, been placed in greater jeopardy by the events of this day than by all the celebrations of these 40 years put together. I earnestly entreat your attention to this letter, and should it be considered worthy of any reply, I shall be found in attendance on the grand jury duties in Armagh, during to-morrow and Saturday.

I have, &c.

Sir William Gosset. (signed) *William Blacker*, D.L. Co. Armagh.

Sir, Portadown, July 24, 1833.

I HAVE the honour to report that on Wednesday the 17th instant, I received a warrant from Mr. Hancock, J. P., to apprehend 14 persons charged by the police with illegally marching in procession on the 12th of July, the anniversary of the Battle of the Boyne. These persons were all apprehended and lodged by me in the county gaol the following day, and at the assizes for this county, which commenced on the 18th instant, they were indicted for a misdemeanor before Judge Moore, who charged the jury in favour of a conviction; but the jury found only three of the 14 persons who were arraigned, guilty, on the grounds, (as I understood) that these individuals had been cautioned after the 1st of July by a magistrate, against such proceedings; and they acquitted the others, because (as I have heard) that a caution had been read to them on the 12th of July, warning them of the penal consequences of such illegal processions; the three persons who were convicted have been allowed to stand out on bail, until a point raised by their counsel shall have been decided by the twelve judges; the occurrences which led to this trial having happened in this district, I feel it my duty to take the earliest opportunity of laying the result with all the circumstances attending it fully before you.

I regret exceedingly to have to report that the persons who were acquitted, and who reside in the town and vicinity of Lurgan, 14 miles distant from the assize town, were joined on their return home yesterday afternoon by a great concourse of persons, with music playing party tunes, and some of them decorated with orange sashes and ribands; on their arrival at Lurgan the procession was very large, and instantly bonfires were lighted in several parts of the town, which was now crowded; a tar-barrel was also ignited and carried through the streets, and at last laid down before the door of Mr. Hancock, the committing magistrate: they then commenced breaking several panes of glass in the windows of this gentleman's house, and only that there happened to be a military party in Lurgan on their march, and who were about to be called out, and which had the effect of causing the mob to desist, Mr. Hancock informs me, he is of opinion his house would have been seriously injured. Mr. Hancock had the police stationed at Lurgan at his house during the evening, but he did not consider it prudent to attempt to act with a small police force against a highly excited multitude.

I have been at Lurgan all the morning, and I am happy to be able to report that all is now quiet, and that I do not apprehend any repetition of the proceedings of yesterday evening, although the minds of the population of this part of the country is much excited, in consequence of the late arrests and trial of the Orangemen. Should any thing further occur, I shall report the circumstances promptly to you.

I have the honour to be, &c.

Sir William Gosset, &c. &c. &c. (signed) *David Patton*, Chief Constable of the Police.

My dear Lord, Phœnix Park, 26 July 1833.

I MUST call your attention to the memorial from Armagh, which I send herewith, I also forward a letter from Colonel Blacker. Now, after such a document, I must not doubt that the colonel used his influence to divert the Orangemen from the purpose of displaying themselves on the 12th of July. Yet I think the accusations made in the memorial deserve a serious investigation, and I therefore request that you, in your capacity of lord lieutenant of the county, will have the goodness to send me a Report as soon as you shall have completed the inquiry. I also send a copy of Sir William Gosset's answer to Colonel Blacker.

The Earl of Gosford, Lieutenant of County Armagh. I remain, &c. (signed) *Anglesey.*

To

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To his Excellency Henry William Marquis of *Anglesey*, Lord Lieutenant-General and General Governor of *Ireland*, &c. &c.

The Petition of the undersigned Inhabitants of the townland of Ballyhagan, near Portadown, in the county of Armagh.

Humbly Sheweth,

That Petitioners had fondly hoped that all party processions in Ireland, and the numerous evils arising therefrom, would have ceased on the enactment of a law prohibiting such processions; and that the declared determination of His Majesty's Government to establish internal peace, and promote concord among all classes of His Majesty's subjects, would have met with the approbation of every good and loyal subject, and of every friend of peace and good order:

That petitioners, with deep regret, are sorry to be obliged to approach your Excellency on the present occasion, for the purpose of representing to your Excellency, that notwithstanding the expressed sense of the Legislature and the Government, the law, in this part of the country, continues to be reviled and set at nought; and that party processions are not only allowed with impunity, but, as petitioners have every reason to believe, are encouraged and fomented by persons in authority, whose bounden duty, as magistrates and clergymen, ought, as petitioners humbly submit, to cause them to act very differently:

That the townland of Ballyhagan, in which petitioners reside, is principally inhabited by Roman Catholics; and that on the 12th day of July last, two lodges of Orangemen bearing flags, and decorated with party insignia, having drums and fifes, playing party and irritating tunes, and some of whom were armed with pistols, entered the said townland on their return from parading round the country, and attacked a number of people, among whom were petitioners, without having received any provocation whatever; and that a shot from a pistol was deliberately fired by one Robert Williamson, at a man named Michael Carron, who had a narrow escape, the ball from the pistol having entered his dress and grazed his belly; and that several individuals were severely cut and wounded.

That petitioners, with others, being enabled to identify twenty-one persons who walked in said procession, and who were concerned in said outrage, applied to Curran Woodhouse, esq., a magistrate of the county of Armagh, who at once granted summonses against the parties, to answer the charges on Saturday next, at the petty sessions of Portadown; and petitioners being afraid to serve said summonses themselves, same were placed in the hands of the police at Portadown for that purpose; but petitioners have reason to believe that said summonses have not yet been served:

That Lieutenant-Colonel Blacker, a deputy-lieutenant of the county of Armagh, and an Orangeman, is the chairman of the petty sessions at Portadown; and that petitioners firmly believe this gentleman encourages Orange processions, as he permitted a large Orange procession with banners and music to enter his demense at Carrick, on the last 12th July, when he received them very kindly; and he and his lady appeared with party colours on their persons, having caused their gates to be decorated with orange colours, and that he has since been very active in collecting subscriptions, and in arranging the defence of a number of men of the same procession, who were tried at last Armagh assizes, for unlawfully assembling and marching in procession at Lurgan, in said county:

That Joseph Atkinson, esquire, of Crowhill, another of the magistrates, who sits at said petty sessions, is an Orangeman, and a relative of one of the parties accused, and as petitioners believe, also encourages and approves of such processions:

That petitioners' lives have been threatened, in case they prosecute the offenders on this occasion; and they humbly represent, that before a tribunal, constituted as the petty sessions of Portadown is, they do not believe their case would receive such an investigation as the ends of justice and the vindication of the laws require:

That petitioners further humbly beg leave to represent to your Excellency, that from the well-known principles of a large majority of the magistrates in Armagh, and the selection of the juries of that county, most of whom are composed of Orangemen, that there is little probability of petitioner's cause receiving a fair and impartial trial and judgment, particularly if same be tried in the the court of quarter sessions; and petitioners, therefore, humbly hope, that your Excellency may be pleased to order a magistracy of the county to take informations against such persons as can be identified who composed the unlawful assembly and committed the outrage in question; and that such information may be returned to the assizes, and the parties accused dealt with in the mean time according to law.

(signed) *Barnard Halligan.*
William M'Quillam.
Henry Dowley. (by order.)
his
Arthur ⋈ *M'Geough.*
mark.
John Laventry.
his
Daniel ⋈ *M'Keeven.*
mark.
Francis Hughes.
Francis Hugan (by order.)
his
Patrick ⋈ *M'Cormack.*
mark.

24th July 1833.

Sir, Tanderagee, 2d August 1833.

I have the honour to acknowledge the receipt of your letter of the 31st ultimo, and beg to say that I will use every exertion in my power to obtain proof of a magistrate of this

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county having been present cheering at an assemblage of Orangemen in this town, on the evening of Wednesday the 24th ultimo, when Mr. Hancock, the magistrate of Lurgan, was hung and burnt in effigy.

I have also to state that I have good reason to believe proof can be obtained, should you think it necessary, that a captain of a yeomanry corps, together with a postmaster, who is also an officer of the same corps, were present cheering and encouraging the mob, and that the captain was publicly chaired by the crowd on the conclusion of the scene.

I am, &c.

Sir William Gosset, Dublin Castle. (signed) *P. M'Connell.*

Sir, Dublin Castle, 5th August 1833.

With reference to that part of your letter of the 2d i stant, in which you state that proof can probably be obtained that a captain of a yeomanry corps, together with a postmaster, also a member of the same corps, were present cheering and encouraging the Orangemen at Tanderagee, on the 24th ultimo, and that the captain was publicly chaired by the crowd at the conclusion of the scene, I am desired to state that it will be very satisfactory to receive this information, and if proof can be obtained you may depend that punishment will follow.

I am, &c.

Mr. P. M'Connell, Tanderagee. (signed) *W. Gosset.*

Sir, Armagh, 13th August 1834.

I return (enclosed) Mr. Dubourdieu's letter regarding the Orange riot at Lurgan, and having caused inquiry to be made respecting it, as directed by your communication of the 3d instant, now beg leave to transmit herewith the report of the chief constable of the Lurgan district, on the subject to which it refers.

I am, &c.

E s q. (signed) *William Henry,*
Sub-Inspector.

Sir, Portadown, 13th August 1833.

Since the receipt of you letter of the 4th of August, enclosing a letter from Mr. Dubourdieu to Sir William Gosset, on the subject of the late riot and bonfires at Lurgan, on the evening of the 16th ultimo, I have been using my best endeavours to discover who the persons were who took a part in those proceedings.

In the first place, I have to observe, that from the position in which the constabulary were placed by the magistrate, they had very little opportunity of observing the doings of the mob, and are therefore unable to state but little of the occurrence in question beyond heresay.

With respect to the straw of which one of the bonfires was composed, it appears from the information I have received from Mr. Hancock, to have belonged to a Mr. Waddle of the county of Down, who, report says, sent it into Lurgan for the purpose of making a bonfire on the occasion. It does not appear that any spirits were served out to any person that I could hear of; but it appears that a Mr. Joseph Wilson, of Lurgan, bought and paid for the beer that was distributed to the mob on that evening. I have also ascertained that in the crowd that accompanied the persons (who were acquitted at the assizes) coming into Lurgan, the following persons were seen amongst them on horse back, and from their position appeared to form part of the procession,—James Ewing, William Johnston, William Munroe, Andrew Halliday, and a person named Harrison.

I am, &c.

William Henry, Esq. *D. Patton,*
Chief Constable.

Sir, Armagh, 1st August 1833.

With reference to your letter of the 17th ultimo, I beg to acquaint you that I have been making every exertion in my power to procure sworn informations respecting the persons who took part in the Orange processions on the 12th of July, and have myself prepared forms of depositions which have been read to the members of the constabulary, who are ready to swear to them before the magistrates, copies of which I have the honour to transmit herewith, together with reports which I have received from the chief constables of the districts of Newtown Hamilton and Portadown, and by which you will perceive that the delay in the depositions being taken has been caused by the magistrates, who, I am informed, have communicated with you on the subject, and should the documents now enclosed be approved by you, I shall be ready to attend to your further directions.

I have, &c.

(signed) *William Henry,* Sub-Inspector.

Colonel Sir W. Gosset, &c. &c. &c.

Sir,

Sir, Tanderagee, 30th August 1833.

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I HAVE been honoured with your letter of the 27th instant, in which you say, that if it can be shown that the postmaster of Tanderagee took any part in the party proceedings which have lately occurred in this town, and where a magistrate was burned in effigy, he is unworthy of being continued in his office, and that it was essential to ascertain this fact.

In reply, I now beg to say, that when in my letter of the 27th ultimo I communicated to you some of the facts of the outrage which occurred under my own observation in this town, on the 24th ultimo, I did so with a view to put His Majesty's Government in possession of the state of the country in this neighbourhood, believing that, from the conduct of the authorities here, no report, or at least no fair report, would be given. I saw every exertion made by men in power to countenance and encourage that unhappy system of party spirit, the bane of all free government, which has rendered the country almost unfit to live in. On the one side an armed population excited to an intolerable pitch, uncontrolled by law, and not only unrestrained but encouraged by authority; and on the other side, an exasperated people silently looking on, brooding over, though patiently bearing the gravest insults, and every moment ready to explode, and between them placing the lives and properties of every good and well-disposed person in imminent danger. I believed that when a representation of such a state of things would be laid before the executive, that some means would be used to put a stop to such things, and that men in office, who have taken a part in such proceedings, contrary to the expressed wish of His Majesty's Government, would not escape censure, as it is really those who are to blame, and not the poor misguided peasantry, who are led on and excited by their influence.

I feel bound however now to say, that from the correspondence I have had the honour of holding with you on this subject, I am not quite certain that the persons in authority who act as I have described, are likely to be restrained.

In my letters to you of the 31st ultimo and 2d instant, I intimated that a magistrate of this county, and a captain of a yeomanry corps with a postmaster were present, cheering with a mob of Orangemen, who hung and burned Mr. Hancock, a magistrate of Lurgan, in effigy, in this town on the 24th ultimo, and that the captain was publicly chaired by the mob on the conclusion of the scene.

In your letters to me in answer, under date 31st ultimo and 5th instant, you requested me to use every exertion in my power to obtain proof of a magistrate having taken any part in the outrage in question or having been present with the mob, and you say that if proof can be obtained respecting the yeomanry captain and the postmaster, I may depend punishment will follow.

On the 6th instant, I transmitted to you three affidavits, distinctly charging, that Dean Carter, a magistrate of the counties of Armagh and Down; Mr. George Washington Patton, the captain commandant of the Tanderagee corps of yeomanry; Mr. Richard Troker, postmaster and stamp-distributor of Tanderagee, and Mr. Abraham Hardy, a lieutenant of the Tanderagee corps of yeomanry, were all present with the mob, and were all concerned in the outrage, and detailing the part each took on the occasion.

Whether you received those affidavits or not, I never could understand; and although I made an inquiry to that effect in my letter of the 23d instant, you were not pleased to inform me, but it would appear that nothing has ever since been done upon the subject.

I am now however induced to believe, that you have not received those affidavits, in consequence of your letter of the 27th instant, saying that it would be essential to ascertain whether the postmaster of Tanderagee took any part in the party proceedings in this place, and I beg to state, that I can obtain affidavits distinctly charging this postmaster and stamp-distributor, who is also a lieutenant in said yeomanry corps, and also the other persons, with having been present cheering with the mob, when the outrage on Mr. Hancock was committed, and I myself know, and can state on oath, that during the day of the 12th July last, and when the Orange procession was passing and parading through this town, his post-office was decorated with Orange colours, and an Orange flag was flying out of one of his windows; and indeed the conduct of the yeomanry corps in this place shortly before and since the 12th July last, is worthy of serious inquiry.

I hope to be in Dublin in a few days, and will bring the affidavits in question with me.

I have, &c.

Sir William Gosset, &c. &c. &c.
Dublin Castle.

P. M'Connell.

To their Excellencies the Lords Justices of Ireland.

The Petition of *Richard Morrison,* of Tanderagee, in the county of Armagh.

Humbly showeth,

THAT petitioner has been a member of the Tanderagee corps of yeomanry upwards of twenty years, during which period he always endeavoured to demean himself as a good and loyal subject ought; and that he never disobeyed his officers, nor was ever brought before a magistrate or a court of justice to answer for any offence:

That on the 24th July last, a number of Orangemen assembled in the open street of Tanderagee, and there raised a bonfire, and erected a gallows, on which they hung and burnt in effigy, William John Hancock, esquire, a magistrate of the county of Armagh:

That petitioner, who happened to witness the transaction, was afterwards called upon by Mr. P. M'Connell, to know if he would depose to the facts of the said outrage; and petitioner,

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tioner, understanding that such application was made to him by desire of His Majesty's Government, and feeling that the conduct pursued by the persons who committed same was calculated to place Mr. Hancock's life in danger, and was done in direct violation of the laws, and in contempt of the authorities, believed it to be his duty to make an affidavit of the facts within his knowledge, whereby he deposed that a magistrate of the county, and the captain commandant, and two other officers of the Tanderagee corps of yeomanry were present with the mob on the occasion, encouraging the proceedings then going forward, to which affidavit forwarded to Sir William Gosset on the 6th August instant, petitioner would humbly refer:

That petitioner attended a petty sessions at Portadown, on the 5th day of August instant, to swear said affidavit; and that Colonel Blacker, the presiding magistrate, refused to swear him thereto; and that petitioner is informed and believes that Colonel Blacker wrote immediately to Captain Patton, the commander of said yeomanry corps, that such affidavit had been tendered to him to be sworn:

That the said corps is in the habit of meeting and parading every Saturday, and that petitioner attended parade on Saturday the 17th August instant:

That on Saturday, the 24th day of August instant, several hours prior to the time of parade on that day, the permanent serjeant of said corps entered petitioner's dwelling-house, in his absence, and forcibly took therefrom petitioners arms and accoutrements, saying he did so by order of the captain of said corps:

That petitioner humbly represents to your Excellencies, that although he never derived any advantage from being a member of said corps, he feels it to be hard treatment to be expelled therefrom, without having committed any offence, except it be one, that of having made the affidavit in question, the truth of which cannot be contradicted, and which he did at the instance of Sir William Gosset as requested in a letter to Mr. M'Connell under date of the 31st July last.

Petitioner therefore humbly solicits your Excellencies to take his case into your gracious consideration, and to grant him such redress as to your Excellencies may seem meet.

And petitioner will pray,

Tanderagee, 25th August 1833. his *Richard* ✕ *Morrison.* mark.

The above named Richard Morrison, maketh oath that the above petition is true to the best of deponent's knowledge and belief.

Sworn before me, a magistrate of the county of Armagh, at Lurgan, in said county, the 31st day of August 1833. *John White.*

his *Richard* ✕ *Morrison.* mark.

The above petition and affidavit were truly read by me to said Richard Morrison before signing and swearing same, which I depose to.

Patrick M'Connell, Attorney.

Sir, Armagh, 1st September 1833.

Agreeably to a communication which I received from the Crown solicitor (a copy of which is herewith inclosed), pointing out the necessary forms of informations to be sworn against persons concerned in the Orange processions, which took place in this county on the 12th of July last, I have the honour to acquaint you, that having transmitted these forms to chief constable Patton, stationed at Portadown, for the purpose of informations being perfected against such persons in his district as could be identified by the constabulary for having taken part in the processions in question; I this day received from him the enclosed report, and accompanying letter which he had received from Colonel Blacker, and by which you will perceive that the magistrates assembled in petty session at Portadown, have declined to accept of the informations tendered to them by the chief constable, therefore beg to have such further instructions as you may think proper to give respecting them.

I enclose a copy of the form of the informations required by the Crown solicitor, and have marked the paragraph which he directed should be added to those of the constabulary in Portadown; and I beg leave to explain to you, that there never was the slightest interference or dictation to the magistrates attempted, or even intended, by either the Crown solicitor, myself or any of the constabulary, on the subject of these informations; and you will observe, that it was Colonel Blacker who called for the extract from the Crown solicitor's letter, it never having been considered necessary to submit it to him or the bench, but merely to tender the information as directed.

I have, &c.

Colonel Sir W. Gosset, K.C.H. (signed) *William Henry,* Sub-Inspector.

Dear Sir, Sackville-street, Dublin, August 22, 1833.

In reference to your communications to Sir Wm. Gosset, dated the 1st, and to me dated the 6th instant, relative to Orange processions which took place at Middleton, N. T. Hamilton, Market Hill and Portadown, in the county of Armagh, on the 12th of July last, I have to request that you will get the several informations relating to them sworn to, and the persons charged bound in recognizance to appear at the next assizes. The form of the information,

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nformation, which in each case you submitted to Sir Wm. Gosset, with your report of the 1st instant, will answer perfectly well, making this addition however to each, that the name of the tune played by the persons in procession (if a party tune) shall be mentioned in the information; and to the Portadown informations, a similar paragraph to the last in those as to other cases of procession should be added. To make the accused parties amenable, the warrant (if it should be necessary to issue one,) and the recognizance should be, "for having on the 12th July 1833, met, assembled and joined in procession, with banners and flags, to celebrate and commemorate political events, connected with religious distinctions, contrary to the form of the statute, &c."

When you have acted on these instructions, I should be obliged by your letting me have a return of the names of the parties made amenable in each case of procession.

I am, &c.

Wm. Henry, Esq. Armagh. (signed) *M. Hamilton,*
Crown Solicitor, N. E. C.

My dear Sir, Carrick, Portadown, August 30.

I HAVE particular reasons for feeling anxious to know whether some orders I have just seen from you to Mr. Henry, chief constable at Armagh, relative to having informations sworn against a number of persons in this quarter for a breach of the Procession Act, have been given by direction of the Government, or have arisen from communications addressed to you from the country. The fact is, I have been in communication with the Government on this particular subject, and awaiting their instructions, and think it somewhat strange that I and my brother magistrates should have been in some sort passed over by a subordinate officer being made the channel through which the prosecution of offenders was to be effected, without any reference to us who are so deeply interested in the peace of the country, and who I trust will ever be found ready to do our duty without fear or partiality, reserving only the right of offering such advice on points of expediency as our local knowledge leads us to consider wise. In fact, I have in consequence of a letter from Sir W. Gosset, considered myself authorized to defer taking the informations which Mr. Henry's orders allude to, and can give you full and satisfactory reasons for it, if necessary. I always thought that the Crown solicitor received the informations, on which he was to act, through the clerk of the Crown, and never took upon him to direct the local magistracy as to the proper time or general expediency of taking examinations in any case of offence; yet this latter construction the extract of your letters to Mr. Henry which I have seen, is susceptible of; some things which I can detail on some future occasion have combined to render us a little sore and jealous just at present. I shall therefore be obliged by your dropping me a line at your convenience.

Yours, &c.

M. Hamilton, Esq. Crown Solicitor. (signed) *William Blacker.*

I should be glad if the matter was not pressed at the present, if possible to avoid it.

Sir, Portadown, August 31, 1833.

IN reference to my letter of the 24th instant, acknowledging the receipt of yours of the 23d instant, containing an extract from a letter addressed to you by the Crown solicitor on the subject of the Orange processions on the 12th of July in this district, and conveying instructions from you, to have the informations of myself and party sworn to, with as little delay as possible, and which said letter of mine to you of the 24th stated, that there had not been a bench of magistrates at Portadown on that day, but that I should have informations prepared, with the alterations pointed out by the Crown solicitor, and ready at the next meeting of magistrates at petty sessions.

I have now to inform you, that having seen Mr. Woodhouse, a magistrate, on the subject, I afterwards called upon Colonel Blacker, deputy lieutenant and chairman of Portadown petty sessions, to inform him that I had received directions to have the informations, to which allusion has been made, sworn to by myself and party, and to know the day it would be convenient for the magistrates to receive them, that I might have the constabulary collected from the out stations for the purpose, and having mentioned in the course of conversation that the Crown solicitor required the informations, Colonel Blacker requested to be allowed to see his letter to you on the subject (an extract from which you had furnished to me) for his information and guidance, accordingly on the following morning I sent him a copy of the said extract from the Crown solicitor's letter, accompanied by a note from myself, requesting to know if I should have the constables collected to swear to the informations at petty sessions this day, and by return of the messenger I received an answer which I now inclose. Having determined at first to make the application respecting the informations at petty sessions, I did not think it right to allow this letter to alter the course I had resolved to pursue, and I therefore mentioned the matter again to the magistrates at their sitting this day. Colonel Blacker and Mr. Woodhouse being present, and was referred by the chairman to Colonel Blacker's letter for answer to my application, and which letter I now forward.

Yours, &c.

William Henry, Esq. *D. Patton,* Chief Constable.

It may be necessary for me to add, that I had the informations prepared in the way pointed out in the Crown solicitor's letter, and the constabulary collected from the out stations, and in readiness to swear to them, but the magistrates would not proceed, for the reasons stated in Colonel Blacker's letter to me.

(D. 2.)

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Dear Sir, Carrick, August 30.

I have received yours, containing an extract of a letter from the Crown solicitor to Mr. Henry, the chief constable at Armagh, and must be excused recognising the authority of that officer (the Crown solicitor) to direct the conduct of the magistracy of the county.

Having been in direct communication with the Government on the subject to which the letter alludes, at least as far as this district is concerned, I do not consider it advisable that the magistrates here should depart from the line of conduct which they have adopted, under the sanction of his Excellency the Lord Lieutenant, without receiving his Excellency's directions through the usual and proper channel of the secretary's office. As far therefore as we are concerned, it will not be necessary at present to collect the evidence to which your letter alludes.

I remain, &c.

D. Patton, Esq. Chief Constable, Portadown. (signed) *Wm. Blacker*, D. L.

County of Armagh to wit. } By the Magistrates composing Petit Sessions at

The Examination of *Thomas Davis*, Constable of Police stationed at Middletown in said county.

Examinant being duly sworn on the Holy Evangelist, and examined on oath: Saith, that about nine o'clock forenoon, on Friday the 12th of July instant, he saw a procession of men, about 40 in number, wearing Orange badges and colours, and having with them two flags, and preceded by drums and a fife playing a party tune, called "The Boyne Water," marching in regular order, two men deep, through the principal street of Middletown: and examinant saith, that amongst the persons so marching in procession, were John Patten, of Cavandugan, William Noble, of Middletown, and John Campbell, of Rathcumber, each beating a drum; and Richard Coburn, Michael Coburn, William Hughes and Robert Hughes, of Middletown, John Stewart, of Feduff, John Laverty and Robert Laverty, of Cavandugan, Samuel Devine and John Ferguson, of Ardgonnel, Robert Hamilton, George Hamilton, Thomas Hamilton, and Joseph King, of Crossdale, and James Campbell, of Rathcumber, all in said county of Armagh, each wearing a sash; and examinant saw Robert Maxwell, of Ardgonnel, in said county, linked with a person who was marching in said procession, and George Morton, of and Andrew Strean, of both of the county of Monaghan, were in the aforesaid procession, and wore sashes; examinant does not know any of the other persons who composed the said procession:

Examinant further saith, he has no doubt on his mind that the said procession and party were calculated to create animosity in the minds of His Majesty's subjects of a different religious persuasion.*

* The paragraph alluded to in the Crown Solicitor's letter.

Examinant acknowledges himself bound to our Sovereign Lord the King in the sum of to prosecute this his information at the next general to be held at in and for said county.

Sworn before us this day of July 1833.

Sir, Dublin Castle, 27 September 1833.

It appearing, by the affidavits of Richard Morrison and John Fryar, of Tanderagee, that you were present at and joined with a mob upon the occasion of burning in effigy of W. J. Hancock, esq., a magistrate of the county of Armagh, on the 24th of July last, in that town, and further, that you were encouraging the proceedings going forward on that occasion, the Lord Lieutenant deems it proper, in communicating these circumstances to you, to desire that you will afford such explanation upon the subject as you may consider necessary.

I have, &c.

Richard Trotter, Esq., Tanderagee. (signed) *William Gosset.*

Sir, Darletkill, Tanderagee, 1 Oct. 1833.

In reply to your letter of the 27th ult., I beg leave to acquaint you, for the information of his Excellency the Lord Lieutenant, that, as far as regards me, the affidavit of Richard Morrison is totally false, as on the evening in question I did not leave my own residence, which is at a distance of between one and two miles from the town of Tanderagee, the seat of the bonfire.

I will not conceal from his Excellency that I have seen three affidavits on this subject, and I think it but due to the character of my brother officers who are therein charged, that I have conversed with them about it long before they or I knew that any complaint was made or intended to be made, and that they entirely agreed with me in disapproving of any such exhibition. I would also beg leave to add, that I am fully convinced that the charges made against us originated solely in the malice of one Patrick M'Connell, a self-styled solicitor, who was formerly a schoolmaster, but lately admitted an attorney, and who has on many former occasions evinced towards us, in common with many of the respectable inhabitants of this town, the most hostile and malevolent dispositions.

In this conclusion I am the more firmly fixed from being aware that the said affidavits were sworn to by persons who are completely under the influence of the said Patrick M'Connell or his father. One of the persons, M'Veigh, a boy of fourteen years of age, lives as

servant

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servant in his house; the second, Fryar, is in his father's employment as a day-labourer; and as to Morrison, I wish to say nothing, but to beg that his affidavit may be sent to me, in order that I may prosecute him, as he deserves, for a gross perjury.

I have, &c.

Sir William Gosset. (signed) *Abraham Hardy.*

Sir, Dublin Castle, 27 September 1833.

It appearing by the affidavit of Richard Morrison, of Tanderagee, that you were present at and joined with a mob upon the occasion of burning in effigy of W. J. Hancock, esq., a magistrate of the county of Armagh, on the 24th of July last, in that town, and that you were encouraging the proceedings going forward on that occasion, the Lord Lieutenant deems it proper, in communicating these circumstances, to desire that you will afford such explanation upon the subject as you may consider necessary.

I have, &c.

Abraham Hardy, Esq. (signed) *William Gosset.*

Sir, Tanderagee, 18 September 1833.

With reference to that part of the letter I had the honour of receiving from you, under date 27th ultimo, where you state that if it can be shown that the postmaster of this town took any part in the Orange outrage committed here on the 24th July last, or in the party proceedings connected therewith, he is unworthy of being continued in his office, I beg to acquaint you, that I have now several affidavits charging him and others with having taken a part in those proceedings, and which I will forward should you require them.

I had hoped to be in Dublin ere now, and to have given you those affidavits, with any explanation in my power; but in consequence of professional engagements connected with the investigation of a number of outrages of a Whiteboy character which have been lately committed in this neighbourhood, and in which I fear the arms entrusted to the yeomanry have been employed, I have been prevented from waiting on you.

I have, &c.

Sir William Gosset, Dublin Castle. (signed) *P. M'Connell.*

I shall be much obliged by his sending the affidavits connected with the charge against the postmaster.

With regard to the yeomanry arms having been used for illegal purposes, if he can afford any proof, prompt proceedings will be adopted, but nothing can be done on the present statement.

W. G.

Sir, Armagh, 23d September 1833.

In obedience to the directions contained in Sir W. Gosset's letter of the 17th of July last, I caused the necessary informations to be prepared and had the members of the constabulary ready to swear against such of the Orangemen of this county as could be identified for having marched in procession on the 12th of that month, contrary to the provisions of the late Act for "restraining Party Processions in Ireland;" and have the honour to acquaint you that these informations have been received by the magistrates at the different petty sessions in this county, with the exception of that at Portadown; but on the chief constable at that station tendering them to the bench there, the magistrates have invariably declined taking them, though the chief constable and other members of the constabulary have been in attendance for the purpose of identifying the parties accused and of perfecting the informations against them on oath.

This circumstance I communicated to Sir W. Gosset in my letter of the 1st instant, and at the same time transmitted the chief constable's report on the subject; and in reply, having received fresh directions (through the Crown solicitor) to have the informations sworn to "without delay," I gave the necessary orders on that head to the chief constable of Portadown, and now beg leave to transmit his report, by which you will perceive the magistrates still decline taking the informations, and must therefore beg for such further instructions respecting this matter as you may think proper to give.

I have the honour, &c.

Right hon. E. J. Littleton, &c. &c. &c. (signed) *William Henry,* Sub-Inspector, Armagh Constabulary.

Sir, Portadown, 16th September 1833.

I received your letter of the 5th instant, and the next day I applied to the magistrates at petty sessions to take the informations I had prepared against certain persons for illegally walking in procession on the 12th of July; the magistrates, however, did not receive them, but directed the petty sessions' clerk to have informations prepared by himself and ready on the following Tuesday, on which day they were to be sworn to; on that day an attorney appeared and submitted to the bench that the proper course to pursue would be to summon all the parties, as is the practice (as he stated) in other cases of misdemeanor, and that the Orangemen should have an opportunity of being heard; to this proposal the magistrates

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acceded, and summonses have accordingly been issued against 35 persons to appear at petty sessions on Saturday, and on which day I should hope that this business will be brought to a close, and informations taken. I urged the necessity of having the informations taken without delay, as I had received instructions to that effect, and I was given to understand that the responsibility rested with them (the magistrates) and not with me, and I have to add, that all through I have been exerting myself to get the informations taken.

I have, &c.

William Henry, Esq. (signed) *D. Patton,*
&c. &c. &c. Chief Constable.

Sir, Portadown, 21st September 1833.

In reference to my letter of the 16th instant, informing you that the magistrates at petty sessions had ordered that summonses should be issued against certain persons charged with illegally walking in procession at Portadown, on the 12th of July, instead of taking informations in the first instance. I have now to state that I had the summonses regularly served upon the parties to appear this day, and the members of constabulary collected from the out-stations, who, together with myself, were in court and in readiness to prosecute; and that when I applied to the bench to have the cases called on, I was informed by the chairman that he had that morning received a letter from Lord Gosford, which he had just submitted to his brother magistrates, and that they had determined to postpone the prosecution until another communication shall be received from his lordship, who, the chairman stated, is expected in the county in the course of the ensuing week; I give the answer as I received it, by which, and by every other communication I have addressed to you on this subject, it will appear that both myself and the men have strictly obeyed all the orders I have from time to time received, and that no blame can attach to myself or the men for the delay in swearing the informations in question.

The magistrates presiding at petty sessions at Portadown this day, were Lieutenant-Colonel Blacker, Mr. Woodhouse and Captain Hill.

I am, &c.

William Henry, Esq. (signed) *D. Patton,*
&c. &c. &c. Chief Constable.

My dear Solicitor-General, Dublin Castle, October 15th, 1833.

I beg leave to enclose to you a copy of a letter to Lord Gosford, lieutenant of the county of Armagh, which has been addressed to his lordship by directions of the Lord Lieutenant. You will perceive by it that his Excellency has intimated to his lordship that he intended to request you to repair to Tanderagee for the purpose of rendering to his lordship every assistance in the investigation he is about to institute.

I have accordingly to notify to you his Excellency's desire, that you will consult with Lord Gosford as to the time and course of the intended proceedings.

The Solicitor-General, I remain, &c.
&c. &c. &c. *E. J. Littleton.*

Sir, Dublin Castle, 21st September 1833.

I shall be much obliged by your sending me the affidavit alluded to in your letter of the 18th instant, connected with the charge against the postmaster of Tanderagee, as having taken a part in the Orange proceedings on the 24th of July last.

With regard to the use of the yeomanry arms for illegal purposes, if you can bring forward any proof of that fact, prompt proceedings will be adopted; but nothing can be done in your present statement.

I have, &c.

Mr. P. M'Connell, Tanderagee. (signed) *E. J. Littleton.*

Sir, Tanderagee, 23d September 1833.

I have the honour to acknowledge the receipt of your letter of the 21st instant, requesting I would send you the affidavits connected with the charge against the postmaster of Tanderagee, as having taken a part in the Orange proceedings here on the 24th July last, which affidavits I herewith enclose, together with a petition from one of the deponents, verified by affidavit, and which I would entreat your attention to.

Affidavits nearly similar were forwarded so long ago as the 6th August last, but although I have made repeated inquiries I never could learn whether they were received or not.

The post-office of this town was decorated with orange colours, and an orange flag was hung from one of the windows of it during the time the Orange processions were parading in this place on the 12th July last, of which facts I myself will make oath should you think it essential.

The serjeant of police stationed here (William Stratton) saw the outrage and insult offered to Mr. Hancock on the 24th July last, and he informs me that during the time Mr. Hancock's effigy was suspended and burning, he saw a magistrate of the county Armagh, who resides here, William Loftie, esq., looking at the proceedings from one of the windows of his dwelling-house, within a few yards of the scene.

I have

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I have had great trouble in getting a magistrate of the county to take the affidavits I now forward. Lieutenant-Colonel Blacker, a magistrate and deputy-lieutenant of Armagh, to whom I tendered them to be sworn, refused to take them, and he prevailed on two other magistrates, in my presence, to follow his example; in fact, it is very difficult, from the conduct of the magistracy, to get the laws enforced in any thing connected with Orange proceedings.

Right hon. Edward John Littleton, Dublin Castle.

I am, &c.
(signed) *P. M'Connell.*

Sir, Tanderagee, October 1, 1833.

In reply to your communication of the 27th ult. I have the honour to inform you, for the information of his Excellency the Lord Lieutenant, that I took no part whatever on the occasion of the bonfire or the burning in effigy of W. J. Hancock, esq., in this town on the 24th July last; nor did I in any manner encourage or participate in what took place; on the contrary, I expressed my disapprobation of the proceedings throughout.

A short time previous to the termination of the fire, curiosity alone induced two gentlemen and me to leave my house, about sixty yards from where the fire was, and approach towards it, for the mere purpose of discovering the persons who were engaged in it, and after remaining a very few minutes we returned to my house without at all joining in, sanctioning or approving of what was going forward.

I have, &c.,
Sir William Gosset. (signed) *Richard Trotter.*

Sir, Tanderagee, October 1, 1833.

In reply to your communication of the 27th ult. I beg leave to reply, for the information of his Excellency the Lord Lieutenant, that I did not in any way aid, abet, assist or encourage the proceedings which took place in this town on the evening of the 24th of July last; but on the contrary, expressed my disapprobation of any such demonstrations of popular feeling.

The facts of the case as regards me are simply these, on going out with my wife on the evening in question I perceived a crowd surrounding a bonfire at a distance of about fifty or sixty yards from my house; I left my wife in the house of a friend and approached nearer the fire, but did not, by either word or action, encourage those engaged around it, nor was I aware of any intention of burning any person in effigy, nor do I recollect having heard Mr. Hancock's name mentioned during my stay there.

It is perfectly true that, while standing in the outskirts of the crowd, I was recognised by some individuals, and was, against my will, and in spite of every remonstrance and exertion I could make, forcibly carried round the fire; on escaping from them I rejoined my wife as quickly as I could and returned to my own house, and of course saw no more of what occurred.

This is exactly what occurred to me on the evening in question, which simple detail will, I hope, be considered satisfactory by his Excellency; if not, I beg he will order a court of inquiry, when I trust I shall not only be able to exonerate myself most fully from the charges made against me, but enabled to prove that they originate in the most inveterate malice.

I have, &c.
Sir W. Gosset, &c., Dublin Castle.
(signed) *G. W. Patton,*
Captain Com. Tanderagee Yeomanry.

(Continued from Solicitor-General's Opening Speech, October 17 1833.)

Tanderagee, Thursday.

The Solicitor-General regulated that all questions put on the cross-examination of witnesses should be put through him. He intimated that there were four affidavits, stating that effigy burning took place at Tanderagee under the very window of Mr. Lofty without any interference on his part to prevent it.

Mr. *Lofty.*]—I confess all that; no doubt it did.

James Locke, the first witness, sworn;—Said, I remember the 24th of last July, was at Tanderagee; I saw, about eight o'clock, a number of persons there, it was evening, they were assembling round a fire; I saw a great deal of fire, from sticks at Lord Mandeville's gate, preparing for an effigy of Mr. Hancock; saw the fire lighting; heard drums beating, huzzas and cheering; they were playing party tunes, "Croppies lie down," "The Boyne Water," or some such kind of tunes, no flags or banners; I saw no flags or banners on Patrick's day in Tanderagee; of my own knowledge, I know not who the effigy represented, nor from any one but the voice of the crowd; heard them say it was for Mr. Hancock; I was standing upon the wall under the trees, four or five perches from the fire; Dean Cotton was there, he was standing two yards or so from me the whole time, about four or five perches from the fire; another, William Mac Namee, was standing by me, a boy; I was with the crowd from the commencement; I saw Dean Carter after the fire was lighted, not more than five minutes after; fire was lighted for half an hour; I do not know where Dean Carter dined, nor did I hear; I did not see the Dean cheer until the crowd cheered three times for him and for Colonel Blacker; I heard several other cheers, a cheer for Lord Mandeville; on that occasion the Dean waved his hat; the cheers for Lord Mandeville, himself

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himself and Colonel Blacker were the only occasions he cheered for at the time of the fire; Lady Mandeville was leaning on his arm; I will not swear I observed two ladies with him, or on his arms; I heard the crowd say who it was; I do not know Lady Mandeville's person, never saw her until that evening; I did not see the Dean's daughter, I did not observe her; I was standing at the off-side of the Dean; when I first saw him the fire was burning five or ten minutes; he might have been six or seven perches from the fire.

The *Solicitor-General.*]—You said five or six perches?

Witness.]—I did not hear the Dean say any thing; the fire was making a great blaze when I first saw the Dean; there were above a hundred present in the crowd; I did not see the Dean advance nearer the crowd than five or six perches; some of the effigy was burned before I saw him; I cannot say he knew any thing about the intended bonfire; I saw Dr. Patton there about the time I noticed him; I do not know Dr. Patton resisted his being chaired; he did not appear upright, he was not upright, he was seemingly lying on the shoulders; I would sit upright if the compliment were paid to me, for compliment was intended to be.

The second Witness was *John Prior*; Examined by the Solicitor-General.]—I was at Tanderagee the evening of the bonfire; I was in the town before the bonfire; went up between nine and ten; saw a good large fire, a pitch-barrel and sticks burning; I heard the people say it was for burning the effigy of Dr. Hancock; I saw a good many drums and fifes, they were playing "Protestant boys" and "The Boyne Water;" I saw Rev. Dean Carter and Dr. Patton, captain of yeomanry, there; heard some huzzaing, did not know for what; I did not notice the gentlemen join in these huzzas; stopped about half-an-hour; I did not notice the Dean doing any thing; the fire was before the lodge house, the north side; an arm came out from the pole of the fire; there was the appearance of a man hanging from it, with a straw hat, grey trowsers, a roll-about coat; they called him Hancock, and the effigy was burned.

Cross-examined.]—The bonfire was twelve or fourteen yards from Mr. Lofty's windows; Dean Carter may not have heard of the fire before; was within four yards of Dean Carter, could see him doing any thing, did not see him doing any thing.

To the *Solicitor-General.*]—This was on Wednesday night; I heard three cheers for Mr. Lofty, but did not hear cheers for any body else. I went up after a weak boy of ours who followed the drums, he was seven years old; I made an affidavit; Dean Carter was not more than four yards from the fire; I did not notice any ladies with him, for there were people all round.

Richard Morris, the third witness sworn;—I remember the 24th of July, the fire at Tanderagee, about nine in the evening; I know of it; heard through the crowd of it; it was to burn the effigy of Mr. Hancock; saw the fire, a tar barrel and wood brought out of Lord Mandeville's castle. I saw Dean Carter, Dr. Patton, R. Trevor and Abraham Hardy in front of the fire about 10 at night; I saw the Dean moving about two or three times round, every time there was a cheer. There were three cheers for Mr. Lofty, for Lord Roden, Lord Mandeville and Dr. Patton; cheers and groans for Hancock. I saw Dean Carter for upwards of an hour; saw him within 10 or 12 yards; I did not quit the place for the time; I saw him, Dr. Patton, and other gentlemen, who took part in the cheering. They did not interfere to prevent the proceedings; I saw the people carry Dr. Patton round the remains of the fire on their shoulders. I think it was done in the way of a compliment.

Cross examined.]—There were groans more than once for Mr. Hancock. I saw John Ewings, a fifer and a yeomanry drummer, also about ten other drummers, but don't know what corps they belong to.

Mr. *Craig.*]—This is as if prosecuting for the Crown.

The *Solicitor General.*]—I do not admit this; I have no such feeling or commission; you shall have every latitude; the same impartiality shall be preserved, the same equality all through.

Examination resumed.—*Witness.*]—I never walked in any procession on Patrick's day, not in celebration of the day; I never saw such a thing in Tanderagee.

To an observation of counsel, that Dean Carter was unfairly treated, the Solicitor General said Lord Gosford sat as Lord Lieutenant of the county, if Dean Carter was not prepared they would not close the inquiry without giving the Dean every opportunity for his defence.

Mr. Craig wished to know if Dean Carter's dismissal from the magistracy was final.

The Solicitor General said, the Lord Chancellor, and the Lord Chancellor alone could decide on the propriety of continuing him in the commission. He did not know his decision, but they must know what may be the result of a triumphant acquittal. Mr. Lofty said, I just got a letter from Mr. Littleton saying, I was to be brought before your lordship. I think I may traverse in prox., or something of that sort; but I will abide by your lordship's decision.

Witness's (Morris) examination resumed.]—I heard during the day there was to be a bonfire; it was market-day, market generally terminates about six. I do not know those who brought out the wood; it came out of Lord Mandeville's; there were more than 100 present in the street opposite Lord Mandeville's gate, between that and Mr. Lofty's, who I believe is a magistrate. I saw the Rev. Dean Carter when the fire was burning; he was there about half an hour; he was standing with Dr. Patton, John Creevy. The gentlemen were taking off their hats when party tunes were played; the Dean, Dr. Patton, Mr. Porter and Mr. Creevy did this. I swear I saw Dean Carter standing beside the fire; he cheered more than once; I did not see Mr. Lofty there. There were three cheers for Colonel Blacker, three for Dean Carter; I saw W. Murphy, Dean Carter's man there; saw William Davis, Lord Mandeville's man, bring wood. I was a yeoman in the latter end of August, the permanent serjeant took the arms from me.

Cross-examined by Mr. *M'Connell.*]—William Murphy is a yeoman of Tanderagee corps.

James

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James M'Vee, fourth witness examined.]—I am 15 years of age; I know the nature of an oath; he was then sworn. I remember the 24th of July last; I was in Tanderagree; saw persons assembling, Orangemen; do not know how many lodges coming to the bonfire; heard before of the fire from several; a week before; heard that they were to burn Hancock's effigy. I do not know what he had done. The fire began I believe about eight; a wood fire; it was from Lord Mandeville's wood; I do not know who brought it; saw the effigy on a pole; it was burned; I do not know who brought it in; heard in the town it was Mr. Hancock's of Lurgan; it was a good fire; there were a great many persons; saw Dean Carter, Dr. Patton, and Mr. Porter there cheering; music men and different persons went to Lord Mandeville's yard and got beer; saw William Davis, one of Lord Mandeville's men, serving out beer; William Murphy, one of the Dean's men, was serving beer; Lord Mandeville's carpenter, I do not know his name, was near racking it off.

Cross-examined by Mr. *M'Connell.*]—I went with the processions when the drums came up; came up with the lodge that came from Lurgan, but I am not one of the lodge; a son of Abraham Hardy's, a boy, was riding at the head of the lodge; he is past 12 years; it was Ballimore lodge; those who attended came from all about the country; went with Ballimore lodge to Mr. Grace's, after I got beer; I did not hear Dean Carter, or any gentleman groan.

Cross-examined by Mr. *Craig.*]—I think there was a frock coat and straw hat on the effigy; never saw Mr. Hancock wear a straw hat; it was the report that it was for Hancock. I could not swear Dean Carter knew about the effigy; a good deal of it was consumed. I could not swear the Dean knew it represented Mr. Hancock; I saw Trotter waving his hat when cheers were given round the fire; I was ten yards from it, not on the same side with Dean Carter; cannot swear I was not 20 yards. I first saw Mr. Trotter in the ring round the fire; a good deal of the fire was burning; I saw Mr. Trotter waving his hat when the cheering was given; was as near then as I am to him now. I saw Abraham Hardy there; I think he was there; to the best of my knowledge he was there. Will you swear positively? Yes; the firing was all done, the cheering then nearly done when I saw him. There was cheering after the chairing. Abraham Hardy was not standing near Mr. Trotter, a little this way. I did not see Dr. Patton taken up; he was sitting upon the men's shoulders; could not say what way; did not see Mr. Lofty; the fire was, I suppose, within 20 yards of his house. I saw Dean Carter when the fire was going strong; I suppose it was half past nine; I saw a lady with Dean Carter. I do not know Lord Mandeville's person; did not see the Dean's daughter with him on her father's arms; the Dean cheered, waved his hat three times; did not see Dr. Patton, Mr. Trotter, or Mr. Porter do any thing; Dr. Patton was chaired round the bonfire; I was cheering; I am not an Orangeman; I helped myself to some beer; Billy Davis, Lord Mandeville's servant, was giving out beer; I do not know who brought out the bushes; there were drums and fifes, party tunes, "Protestant Boys," and "Croppies lie down."

Cross-examined by Mr. *Craig.*]—I made an affidavit, no one asked me to make it; I went to Mr. M'Connell, he proposed it first; Mr. M'Connell wrote it, I swore what he wrote; he asked who was there; I told him; he drew it; told about waving hats of my own accord; swore it at Lurgan, before Mr. Hancock; Mr. M'Connell I am servant to; took one, I did not tell last witness; I heard Dean Carter once went against Mr. M'Connell, who wished to be an attorney; that might make Mr. M'Connell very angry; never heard of any rupture between Mr. M'Connell and Dr. Patton about church cess; heard of quarrels between Mr. M'Connell and Mr. Trotter for keeping his letter; heard it in this town.

Examined by the *Solicitor-General.*]—Mr. Hancock read over for me my affidavit before it was sworn; was not brought before a magistrate here; went three miles; Mr. M'Connell did not tell me you will be asked if you know the nature of an oath.

William Stradden or *Stratton*, the serjeant, was next sworn.]—I saw the burning, or bonfire, at Tanderagee, on 24th July; saw effigy; heard in the evening of that market-day, that Mr. Hancock's effigy would be burned; did not believe it; I was sitting there where you are writing, Sir, when I heard a drum, forty or fifty marched to the end of the town; I saw a crowd opposite Lord Mandeville's gate, a pole and a tar barrel; there was an arm to the effigy when the fire was lighted; stopped at Lofty's corner, he came in, and said, Shadda, is there any appearance of any riot? remain about here for fear of any accident; see the fire put out. I did not tell Lofty about the effigy, as I did not believe it; I afterwards saw Mr. Lofty inside his window; he could see, I think, what was going on; there were about three hundred, and five or six drums and fifes; saw Dean Carter, Mr. Porter, and several people; saw Mr. Charles Creevy there; saw Dr. Patton, Mr. Porter and Wilson; Dr. Patton had been lifted, and apparently was making every effort to get released from the position in which he was; Mr. Porter, when chaired, did not make the same resistance as Dr. Patton; Porter and Wilson were chaired; did not hear Porter or Wilson say anything; heard the people cheer for the Dean, for Lady Mandeville, Lord Mandeville and Mr. Lofty, the best agent in Ireland; the fire was pretty well through when I first saw Dean Carter; he remained very nearly an hour, I consider; heard them say the effigy was meant to represent Mr. Hancock; they all, in the crowd, publicly understood that it was for Hancock; there were ladies with the Dean, Lady Mandeville and three or four other ladies speaking to him; the ladies remained during the hour, looking on.

Cross-examined by Mr. *M'Connell.*]—They played "Protestant Boys," "Boyne Waters," and other party tunes, and other tunes; Dr. Patton was the only officer of the Tanderagee corps I noticed; I think I saw Mr. John Creevy there; he, I believe, is an officer too; I saw him go to drill with the corps; did not see him in regimentals; most of the crowd were from Gilford.

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Cross-examined by Mr. *Craig.*]—I saw no harm done at Tanderagee that evening; no riot, no person hurt; do not think the Dean would have kept Lady Mandeville on his arm if he apprehended any riot; saw no unusual stir in the town that evening before the fire; I did not credit the story of the effigy, and had no conversation with Mr. Lofty about it, or with any other magistrates; those about the fire were from different parts of the county; I had no physical force to put them down; I conceived with them remonstrance would be useless; I consulted, I think, the public peace more by refraining than interfering, with my small force; I cannot say Mr. Lofty had the same feeling, but I think by acting as he had done, he consulted the public peace more than he would have done by interfering with what took place that night; Dr. Patton and Mr. Saunders called on me that night late, they said a man was struck, and lost a chain; we pursued, and took two men; when in barrack a crowd assembled, they would smash the door if we did not turn them out; that strengthened my conviction that the force we had was not sufficient to prevent the business; I gave Mr. Lofty no information of the burning of the effigy; I do not know any one that gave him the information; when preparations were just making, did not see him, nor in any position where he could have taken notice of such a preparation; he had been at petty sessions that day; the crowd did not appear riotous at the fire, but in good harmony; saw several Roman Catholics looking on; I consider Mr. Lofty acted the better way by not interfering, unless he had a stronger force. I knew Dr. Patton three years; had assistance from him at different times, to preserve the public peace against rioters; I did not see Mr. Lofty from his coming from the petty sessions until the fire was a good while burning; Dean Carter lives at the extremity of the town; I am not aware he had that day any information about the fire from any one else; heard he dined at Lord Mandeville's; saw a number of ladies and gentlemen that evening; heard Mr. Lofty say, a day or two after this fire, it was an unfair thing, it should not have been done; this was before the affidavits or any affidavits were made.

Examined by the *Solicitor-General.*]—When I first met Mr. Lofty the effigy had burned along the arm, rather think it had not reached the body of the effigy at that time; no person could pass by it without seeing the effigy; heard no one address the crowd; I heard no complaint, that I knew, brought from Mr. Porter, jun.; the fire was between me and Lord Mandeville's gate; if there was waving hats by gentlemen I must have seen it; I saw Mr. Porter wave his hat, but not any of the other gentlemen all the night; saw no other in the rank of a gentleman wave his hat, no one was reproving.

Cross-examined by Mr. *Craig.*]—The effigy was straw, dressed in a drab-coloured jacket, dark Oxford gray trousers; I know Mr. Lofty is near-sighted, often saw him put a glass to his eye; it was said in the crowd, different times, that it was Hancock; I could not swear that Dean Carter heard these expressions, from the distance he stood; I think it could not be heard more than three or four yards; there was music and noise; from the crowd at the rear of those near Dean Carter from the ladies and Porter, it was ten or twelve yards; I did not hear any one tell Mr. Lofty or Dean Carter that was Mr. Hancock's effigy they were burning; heard Lofty, when bonfire was in prepartion, was at Mrs. Rees.

To the *Solicitor-General.*]—I cannot say the Dean was in such a position he could not hear what the people said; the people going round might hear it; I cannot say where he was he could; every body might see somebody was burning in effigy.

To Mr. *Craig.*]—I consider he had not sufficient force, and Mr. Lofty knows of this, for stopping it; I could not be aware Dean Carter had any information of it; I knew two young gentlemen, sons of Mr. Lofty, (one a reverend gentleman) died a few months back.

Edward M'Connell sworn.]—I live near Mr. Lofty; I saw the bonfire on 24th July; I saw something upon a pole, the report was, it was a man name of Hancock; saw a great number of men there; think I saw the Rev. Dean Carter; I did not look sharp; I saw a lady I think with him; did not see Mr. Hardy or Mr. Trotter; saw Dr. Patton, I think, chaired; cannot say it was a chair; it was higher than the feet; saw numbers of hats waving; cannot say Dean Carter, Dr. Patton and Porter waved hats; was looking at the picture, very much like the shape of a man.

Cross-examined by Mr. *M'Connell.*]—What did you say to Mr. Hutchings, jun.?—Oh, Sir, on my oath, now, I might say I did see the Dean waving his hat; on my oath, I cannot say particularly, whether the Dean waved his hat; if I did say so it has left my memory; I heard all say it was for Mr. Hancock.

Daniel Fearon examined.]—Was at the fire on the 24th July; heard cheering for Dean, Lady Mandeville, Mr. Lofty, Mr. Porter; heard no groaning; saw Dean Carter, Dr. Patton, Mr. Porter, and no more gentlemen present; saw Mr. Trotter after the fire; they wanted to chair him, he would not let them; Dean Carter was there, I think, an hour; the effigy was not burning when I first saw them; heard an hour before there was to be a fire.

Robert M'Namee sworn.]—I was at the fire, but could not tell where I went to; I was full of whiskey; could not tell who took me home; I was drinking all day; I could hardly see the fire blazing before my eyes. [*Examination not continued.*]

David Hutchinson sworn.]—I saw the crowd putting a poll in the ground on the bonfire night; a barrel was on the top of the pole, a beam was from it in the shape of a man, represented to be Hancock suspended; this was fifty yards from my door; about between six and seven o'clock, went with Mr. Hutchinson to his field; when we returned, a crowd was round Lord Mandeville's gate; some had a pick making a hole in the ground; there were a number of Orangemen with drums; they went to the public-house, marched by Lofty's corner, returned with a greater crowd; heard there was to be diversion; saw the effigy when the light increased; at commencement saw Dr. Patton with a handkerchief; saw brambles pulled out of Lord Mandeville's gate; don't know where the pole came from,

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it was not carried by the party marching past; heard cheers and groans for Hancock; about 10 perches, I think I was off, 70 yards from the crowd; Mr. M'Connell told us about the Rev. Dean Carter's cheering there.

Cross-examined by Mr. *Craig*.]—For whom is Mr. M'Connell engaged, and does he consider those who made affidavits his clients?—[*The witness did not answer.*]

Mr. M'Connell said: I communicated on the subject with Sir William Gosset; I drew the affidavits, brought them before the magistrates, who refused to take them; I was obliged to go to Mr. Hancock; three magistrates at Portadown refused; Colonel Blacker, Captain Hill and ; I heard Colonel Blacker's advice to the other magistrates, not to take them.

Examination resumed].—*Witness*:—I heard cheers; I saw the Dean going up between five and six o'clock, it was said, to a party at Lord Mandeville's; at about three or four that day, I heard there was to be a burning of Hancock's effigy; I rather imagine that was brought from Lord Mandeville's gate, but I do not know this of my own knowledge; saw Dr. Patton when the fire was burning, between eight and nine.

Examined by Mr. *Craig*.]—When Dean Carter went up, there was no bonfire, and no crowd particularly, except a market crowd.

Patrick M'Connell sworn and examined.]—I was at Tanderagee on the 24th July last; about three o'clock on that day, a number of people came into my office; I heard the people were going to burn Dr. Hancock in effigy; the people that had business with me were principally Roman Catholics; they told me they were afraid of danger and wished to go home. Mr. M'Connell described the events of the bonfire like the other witnesses. I am satisfied, he said, although the police could not disperse them, if Mr. Lofty or Dean Carter told them not to assemble, the people would have dispersed; if Mr. Lofty and Dean Carter chose to exercise their influence, they would have dispersed; I think Dean Carter has influence with the Orangemen and the men of Gilford, for he is a magistrate of the county Down; I did not hear of it recently, but a good many years ago I saw Mr. Lofty in the street telling the Orangemen not to assemble; I suppose it was not successful, for it went on; I think the people were encouraged, so far as Mr. Lofty's allowing the people to be so near his house with their bonfire. Respecting Captain Patton, I heard a long time ago that he attempted to stop this kind of thing. Allusion was made to Portadown proceedings; Mr. M'Connell persisted in swearing that Colonel Blacker advised his brother magistrates not to take the informations he then tendered against individuals charged with misdemeanors and other offences.

To Mr. *Craig*, he said: I had a correspondence with the Government about this business; I went to Portadown; I did not apply to Mr. Hardy or Mr. , who are more convenient. I do believe there is a delicacy amongst magistrates not to interfere in their brother magistrates' district, as Harding and Trotter were, I thought, implicated in this business, I did not apply to them.

To Colonel *Blacker*.]—On the 5th of August, I first tendered the informations; you said you were taking other informations on a case of moment, I believe, and could not delay that day; you said, you were many hours taking the informations; you said, it was regular at petty sessions to have summonses, and were that day taking bail where a collision between parties had taken place. The opposite attorney, Morris, was absent that day; I drew the informations of a number of the party. You told me you had business out; I took a suitable opportunity, when you were doing nothing; I handed the affidavits to you and said the parties are here. You said, I think, it was contrary to etiquette, to all rule, to take the affidavits without the parties being summoned before you.

Colonel *Blacker*.]—Do not you know it is contrary to magisterial duty to take those kind of informations?—Mr. *M'Connell*. I do not think so.

Colonel *Blacker*.]—Those were not informations to be returned?—Mr. *M'Connell*. I tendered them on the 31st August, and again you refused.

To Mr. *Craig*.]—I saw Dr. Patton about the centre of the people. [*A letter was handed to the witness here*] who said, that is my hand-writing; I swear that there was an unusual stir in the town about six in the evening; there was an unusual stir and excitation in my view. I did not see Dr. Patton chaired. I had no quarrel with him; I brought him to an account about vestry cess when he was churchwarden; he kept it. Mr. Lofty let him go; did not charge him with it. I heard the serjeant; I will not swear he swears falsely when he said there was no unusual stir in the town that evening before the fire. I will not swear that those who swore the affidavits are my clients. What I have done was with a view of putting an end to those divisions which are so injurious to the country. I should suppose there were a thousand persons at the bonfire; my anxious desire was to put an end to these displays. I did not call on Mr. Lofty to put an end to the bonfire, because I solemnly believe he would not have interfered; I knew of this bonfire about three, and got their affidavits at the especial request of Sir William Gosset.

Mr. *Charles Creevy* sworn.]—I saw the bonfire and effigy; the crowd said it was Hancock; the fire was burning when I came up; I heard shouting; I did not see the effigy when I first came up; remained about an hour or an hour and a half; there was some groaning; I do not know who was groaned; heard loud groans for Hancock; heard before it was to take place; I think I saw Dr. Patton; do not recollect the Dean or first Mr. Trotter; saw him after taking no part; heard of it from Mr. Hargreave; he seemed to say it was to take place on Tuesday night when I heard of it first; I thought it all over; I saw Mr. Lofty, he was in a back parlour writing a note; ladies were then looking out of the drawing room window; he had been (Mr. Lofty) out.

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Robert M'Green.]—Went to get the brambles out of Lord Mandeville's park; was not afraid to do so when others were with him; I did not see Dr. Patton; a barrell was tapped; cannot say who gave it; got some from Billy Davis, who works about the place; saw it coming from the castle; a great many were drinking, I suppose it was those about the fire; had a hand in digging the hole; some cheers and groans were given, I believe; said it was about a man named Hancock they were speaking; the pole was got on Lord Mandeville's demesne; I did not see it cut; cannot tell where the picture (effigy) came from; am a Roman Catholic; had no terror on the occasion; there were fifes and drums; they did not alarm me; I hear them very often.

John Larny examined.]—I saw the fire; did not see Dean Carter; saw Dr. Patton chaired; heard cheering and groaning, but not Dr. Patton's name given out; the effigy was said represented Mr. Hancock; heard party tunes, drums and fifes.

Edward Rice examined.]—I saw something burning at Tanderagee; bonfire; it was said to be Hancock's effigy; saw no magistrate or yeomanry officer there.

Robert Gurney sworn.]—I am Mr. Lofty's servant; I saw the effigy about five; heard they were going to have a bonfire; Mr. Lofty was out walking that evening from about six or seven, I believe, when he returned; he did not go out after; he could see the effigy from the door or windows; the cheers could be heard from the house; saw Dean Carter; Mr. Porter did not see the gentlemen do any thing; Dean Carter was with Lady Mandeville; I believe the effigy was intended for Hancock, as I heard talk of it.

Thomas Kennedy examined.]—I saw the bonfire at Tanderagee; heard bonfire was for burning Hancock's effigy; saw Captain Patton stand like the rest; I do not know where the figure or the pole came from; I was one of the musicians who came to the fire; am not a yeoman; was once; had an instrument repairing in my pocket; played tunes; went to the public-house.

The name of the last witness did not reach us, he only said a few words; and the Court adjourned to eleven, as I understand, next day.

PORTADOWN INVESTIGATION, SATURDAY, AUGUST 19, 1833.

Lord Gosford said, the object of this inquiry had been so fully stated by the Solicitor-General before, they had better proceed at once to the examination of witnesses. Mr. Wodhouse appeared as attorney for Captain Wodhouse. The Solicitor-General said, complaint against Captain Wodhouse referred to his conduct on the first of July. It lies in a narrow compass, and would be investigated after the other complaint against Colonel Blacker and the other magistrates of Portadown was inquired into.

David Patton, Captain of Police, sworn.]—I am chief constable of police in this county; was at Portadown on the 12th of July last; there was a numerous procession of Orangemen that day, perhaps one or two thousand or more, marching in regular order, with music, flags, scarfs, ribands in hats, drums and fifes, playing what I consider party tunes; they came I think from different quarters; a considerable portion came from Portadown church, between ten and eleven o'clock on Friday; I think I saw nine armed; there might have been shots fired; I know some of them had arms; Mr. Wodhouse, the magistrate, told me he saw a pistol with one; he endeavoured to take that from him, who rescued it; they marched through the town, over the bridge; there were church bells ringing in the morning, and always have been since I came to this country; the flags were from the church, and from the windows of some publicans; they were orange; the people did not follow further; the Orangemen were not so numerous on that 12th of July as before; there was no breach of the peace; some rioting afterwards; it may have been amongst Orangemen; I took the necessary precautions to preserve public peace; although I had no apprehensions, I collected all the police of the district from the out stations; I think twenty men; sub-inspector Henry, of Armagh, had sent me orders, in accordance, he said, with orders from Government; he was not here on the 12th July, when, as it is in this county, the population are very much on one side; I do not apprehend a breach of the peace so much; a collision is the less likely; I mean the Protestant or Orange side. [The order of 28th June, requiring magistrates to preserve peace and prevent illegal processions, &c., was here produced.] I made this known to the magistrates; sent copies to the magistrates of Portadown; am aware they were exhibited to them with as little delay as possible; I know the magistrates; saw the order before the 12th July; I am not aware the magistrates of Portadown made any efforts to prevent the procession there; the magistrates of Portadown are Colonel Blacker, Colonel Wodhouse, Mr. Atkinson and Captain Hill; I do not recollect seeing them all; I attended at sessions, and produced that document on the Saturday before the 12th of July; Colonel B. and Mr. Wodhouse were there; I received no order; I think Colonel Blacker said a copy of that was in the newspaper, and he hoped there would be no breach of the peace, or any thing unpleasant; I think he said he hoped there would be no procession; this was at petty sessions; no one but himself present, and before business commenced; I do not know if Colonel Blacker, or any other magistrate, gave advice before the people to abstain from processions; I did not go into Colonel Blacker's demesne, nor see him on the 12th July; did not follow the procession beyond the bridge; think it would not have been safe, there was a bad impression against our men; I was directed to take down the names of the persons in the procession, in obedience to orders; it was known, and created a bad feeling; I did take the names of some individuals; none of my men followed the procession beyond the bridge, or outside town; I had informations prepared against the persons whose names I took down; brought them before the magistrates of Portadown; offered them to Mr. Wodhouse and Colonel Blacker a considerable time after the 12th July;

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it was after the assizes, the first petty sessions after, shortly after 20th July; the magistrates did not refuse, but did not take them; Mr. Wodhouse and Colonel Blacker were present; Colonel Blacker said, when business was concluded, we are too hurried to take them now; he after said they would require some consideration; on Tuesday following, Colonel Blacker said one magistrate could sign; Mr. Wodhouse said two were requisite; the informations were founded on the Anti-Procession Act: on Tuesday, do not know the name of the month, attended again with the informations; Colonel Blacker said he was in communication with Government on the subject; wrote to Sir William Gosset, and deferred taking informations until he heard from him; I received another letter from Mr. Henry, saying the Crown solicitor directed proceedings to be taken; they were prepared in form at his house; attended to know when he would be ready to receive them; Colonel Blacker answered, he had not received the proper authority from Government; received another letter from Mr. Henry, saying that Colonel Blacker had been written to, and desiring me to tender them again; I attended again with my men and the informations; waited on Colonel Blacker at petty sessions; he then said he had received instructions, and I would receive orders on the subject in the course of the day; he told me, I think, that instructions had been given to the petty sessions clerk, and that informations would be taken on Tuesday; I had the informations ready, with instructions in my pocket; the Colonel did not read them; I stated their substance; the following Tuesday I attended and brought the principal informants, some four, some five, some eight miles; Mr. Wodhouse, now present, appeared for the Orangemen; the names of the Orangemen in the informations were given to the petty sessions clerk by me; Mr. Wodhouse's attorney made a point, that as the charge was a misdemeanor, the accused had a right to summonses before informations were taken against them; it was so customary, perhaps; summonses were procured, and served on the parties for the following Saturday; I brought the men back, and again attended upon the Saturday following; then Colonel Blacker, Mr. Wodhouse and Captain Hill were on the bench; Colonel Blacker informed me, in the presence of the others, that he had a letter from Lord Gosford, and matters should remain as they were until a communication should be received from his lordship; there was no further attendance at Portadown on the subject; these informations were afterwards taken by Mr. Hancock, at Lurgan; the magistrates of Portadown appeared to have a wish for consideration; there seemed to be a disposition to gain time for consideration; I do not think it was to consider the form of the informations; my impression was, that the magistrates were of opinion that Government may not consider it expedient to press the matter; my impression was, Government wished them taken; it was not my impression that the magistrates wished them taken; they would have been taken, if the magistrates were as desirous for it as the Government; there would be difficulty in their being taken; Colonel Blacker seemed of the impression that Government might be induced not to press them; cannot say for Mr. Wodhouse that both were present, and I had an impression that Colonel Blacker thought as good results would follow, if the thing had not been pressed; amongst the magistrates of Portadown I did not find any disposition to enforce the Anti-Processions Act; did not hear it discussed; I found no indisposition amongst them any more than if there never had been a law on the subject; no steps were taken respecting it; if I had tendered informations to them founded on any other Act of Parliament, I do not think they would have acted in the same way; I came to this conclusion from the informations not having been taken; I know no other reason; I am not aware of any proceedings having been taken by the magistrates of Portadown to check the progress of that procession, or punish any that were in it; the 12th of July is a commemoration usually observed by Orangemen; I think it calculated to create animosity in the minds of the Roman Catholics; there was a collision between parties on the 12th of July in this county; the magistrates of Portadown (and generally in the county) are possessed of considerable influence in the county, from rank and station, and I think Colonel Blacker one of them; the refusal of magistrates of influence to carry the Anti-Processions law into effect, were Orangemen aware of it, would be likely to encourage them; if the country people believed that the law might not be carried into effect, it would be likely to influence them, and the processions would be longer in putting down; I am decidedly of opinion that these processions are injurious to the country; I endeavoured to discharge my duty, and would have had these informations taken, if I could accomplish it; I recollect Colonel Blacker stated that the Orangemen called at his house unexpectedly that day, and he desired them to disperse, and obey the law, and that they had done so; I think this was the day after the 12th July, that Colonel Blacker said the Orangemen called on him at Carrick, his place at the other side of the bridge.

To Mr. *Wodhouse.*]—The order alluded to went no further than to take down the names of those in the procession; it gave no directions to the magistrates to go any farther; I saw Mr. Wodhouse anxious to arrest the persons who had the field on the 12th July; I saw him in the evening; there was no riot until then; it was in a public-house; he went there to preserve the peace, and gave personal assistance to put down the riot; I acted under his orders, disturbance was in consequence stopped immediately; I recollect, when I tendered the first informations to Mr. Wodhouse, he said he thought that they should be taken; Colonel Blacker had then left the place; I believe they discussed the subject of the procession; he stated so; a number of other informations were taken about Ballyhee and Ballybay; these informations were taken, I am satisfied, by Colonel Blacker for offences of 12th July, for I believe a breach of the peace; they (the Portadown informations) were not taken when Mr. Wodhouse said they ought to be taken, as the business was over then.

To Mr. *Wodhouse.*]—I think Captain Wodhouse's sentiments are against party processions from his language and conduct; I think he said, "Certainly, he was ready to take these

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these informations at any time, if any other member of the bench would join him;" there was no distinctive badge worn by Mr. Wodhouse; never saw any thing of the kind on him.

To Colonel *Blacker.*]—I recollect your applying to me to have some police on the day before for the 12th July, at Carrick and Dromlear, the reason they were not furnished was, I did not consider myself warranted in so much dividing the police force.

To Captain *Hill.*]—You attended at Portadown, and acquiesced respecting these informations with the other magistrates?—Certainly, all the force we had would not have dispersed the Orangemen, had we used force.

To Captain *Hill.*]—I wrote to you to attend to take these informations, from my wish to have as many magistrates as possible present?—The reasons I received from the Bench, Sir, of which you are a member, was, nothing would be done until they heard from Lord Gosford, who then was not in the county; I had leave of absence for a fortnight, but I only staid away a few days; I admit orders were given me to attend this day fortnight, but in the meantime the informations were taken by another magistrate, Mr. Hancock at Lurgan; I attended an inquest at Lurgan, passing by, Mr. Hancock called me, and said he was ready to take the Portadown informations; I wrote to inform Mr. Henry of this, and got an order from Sir William Gosset; I did not state to Mr. Henry that I had an order from the bench to attend here this day.

To the *Solicitor-General.*]—I wrote to Captain Hill the day on which the Orangemen were summoned; think he was not in attendance before that; my opinion is, Captain Hill had no objection to take the informations; I heard Colonel Blacker was going from home; I wished Mr. Hill to supply his place; Colonel Blacker met a domestic calamity, that was the reason; I said, on one occasion, I did not believe, as the Earl of Gosford was not in the county, by the bench of magistrates the informations would not be taken; I did not understand this from any of the three; I understood it from them all, as Lord Gosford was not in the county they would wait a further communication; Colonel Blacker gave me that answer from the bench; the other magistrates expressed privately a determination to take them; they did not say what the communication from Lord Gosford was; it was not read to me.

To Colonel *Blacker.*]—I know that subsequent to the assizes of Armagh there was a great excitement, an uncommon one, in the country, more than a transient effusion, before and after the assizes; I think in magistrates anxious for the preservation of the peace it would not be right to add fuel to that excitement; my situation brought me into close communication with Colonel Blacker from time to time; I think he wishes for the preservation of the public peace; he has stated so to me on many occasions, that he was anxious to see the people of all persuasions in peace and concord, and very frequently indeed heard him inculcate this from the bench; the magistrates of Portadown, on the part of Colonel Blacker, did not refuse the informations; it strikes me the delay perhaps was occasioned by the magistrates communicating with Government and Lord Gosford, and waiting for instructions on the subject.

To the *Solicitor-General.*]—I said there was no refusal to take the informations, no absolute refusal, but postponements, four postponements, I think; I understood from the magistrates that I stated it struck me, that is, that the delay was occasioned by the magistrates communicating with Government and with Lord Gosford; but I did not require any such communications to take place; those communications originated on the part of the bench; it was said delay arose from those communications; if those communications had not originated with the magistrates such delay would not have taken place; I never heard Colonel Blacker recommend keeping the Ante-Procession law; I do not recollect any occasion for that particularly occurring.

To Captain *Hill.*]—I was quite aware you were ready to take the informations at all times when the communication would be received from Lord Gosford.

The Solicitor-General here said he would be glad to receive informations respecting the Orange party that went over Portadown bridge to Carrick on 12th July.

Edward Bernard O'Reilly sworn.]—I live in Portadown; I saw the Orange processions on the 12th July from morn to night; saw them gathering into town with colours from Sego and different quarters, they came two and two, a kind of procession; I heard several shots fired; those who had pistols that Mr. Wodhouse pursued were boys; they wore lilies in their hats, not sashes; there was a number of drums and fifes playing party tunes; when the lodges collected they became one body, marched round; Charles Hamilton, district master, rode on horseback, addressed them at great length, he is a man of low rank; did not see them till evening, when they returned, they threw their colours across my head; I was very angry at such treatment; any riot was amongst themselves; they came several yards out of their way to insult me; a young friend was present; some serjeants of police said it was for them the insult was intended, not for me.

To Colonel *Blacker.*]—I am excise officer here; I am frequently in Colonel Blacker's office; I heard you (*to Colonel Blacker*) frequently reproach the Orangemen for their conduct towards their fellow men; never against procession; I remember men returning from the assizes, you said you would caution them to keep the peace; I was present when Mr. M'Connell tendered informations about Ballyhagan parties; you recommended them to make it up; I saw Captain Wodhouse the 12th July, he was a good deal irritated, running after the boy who had the pistol; Mr. Wodhouse said he knew it was the wish of Government to suppress these processions; he said he was sorry he had not a sufficient force to stop them; he told me this previous to the 12th July; I am sorry, he said, Government did not give me the means; he said himself that he was an Orangeman, district master; he had ceased to be so, and said it was time for all parties to cease to be so, as the country was too long distracted.

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Patrick M'Connell, examined.]—I am an attorney; live in Tanderagee; offered information to the magistrates of Portadown respecting Ballyhogan; they were on the bench that day, Colonel Blacker, chief magistrate, Mr. Atkins and Mr. Wodhouse; when the matter was brought up, a discussion took place about the Ante-Procession Act; the Colonel said, there should not be informations taken on the first instance, referred to what took place at Armagh assizes, Justice More's opinion, and a point saved for those tried; I think Colonel B. also alluded to Holmes's opinion, and refused ultimately, under the Ante-Processions Act; a great number of witnesses was examined in support of the charges; the magistracy agreed to receive informations for a riot and assault and walking in procession, and also against a man for murder, that man being an Orangeman. The other party had charges against the Roman Catholics; the magistrates determined to take the informations on both sides; before this, Colonel Blacker seemed anxious that matters should be quashed and the parties reconciled. I said to Colonel Blacker, if he would address the people, tell them processions were declared illegal by Act of Parliament, I would make a proposal and could have the parties reconciled. He refused to do so. I then turned round (the place was crowded), addressed them, and explained the Act of Parliament myself; this was received in a very contemptuous manner, with groans from Mr. Porter; this proposal was rejected; I could not compound the charge of felony; the magistrates postponed taking informations for eight days, with a view to reconciliation, they said, to the 5th August; then I attended a second time at Portadown; found Colonel Wodhouse from home; Colonel B. came; Morris the opposite attorney; Colonel Blacker took them up stairs and prepared the informations, I think, in his own handwriting. The colonel addressed the people at coniderable length, very strongly inculcating peace and goodwill, and wishing we would not go any further. He looked round for my assent. I said a few words, regretting that he did not go further and say the Ante-Procession Act was the law of the land, and they ought to obey it; then I repeated my former proposal, if those accused would sign such a document as I would prepare, we would go no further. This was met by a cry of "No surrender." Informations were then taken, they were contained in one sheet; no separate informations under the Act.

To Colonel *Blacker*.]—There was a large array of persons on the outside; the swearing about this business was diametrically opposite in some cases; I admit one or other of the parties, I should think, incurred the guilt of perjury. It was not unnatural that a man of Christian feeling, to obviate that, should inculcate Christian peace amongst all men. Captain Wodhouse said, the amicable arrangement ought to be accepted, and they should give up the proceeding of walking in procession, as it is the law of the land; Colonel Blacker has great influence in the country.

Colonel *Blacker*.]—Not with these people.

Witness.]—I never saw Captain Wodhouse display any species of party feeling; his conduct is fair and impartial. Mr. Atkinson, when I made the proposal, I think, said, No; this Mr. Atkinson denied; afterwards he said, he thought it ought to be accomplished or accepted.

To Colonel *Blacker*.]—You said it was (the procession) as may be traced to the battle of the Boyne. Mr. Wodhouse said the Portadown informations had not been taken; I asked the reason; he said he was willing to take them and join Colonel Blacker in so doing, but Colonel Blacker declined, or I think he said postponed it. I asked why he did not take them; he said from Colonel Blacker's inuflence against taking, and the people very bitter; he gave me to understand there might be danger in taking them.

George Wodhouse, sworn.]—I saw the Portadown procession after it passed the bridge to Carrick; they went to Colonel Blacker's house two and two; I saw Colonel Blacker at his place, heard him also speaking to the people; I did not hear what he said; saw no Orange decoration that day (12 July) about his person; there were a few lilies in the lawn, an arch over the gate, and some orange lilies or wreaths were in it. The Orangemen remained 10 or 12 minutes. One of Colonel Blacker's servants had an orange riband in his breast; I think I saw an orange riband on Mrs. Blacker's breast. The Orangemen of the district were there. There were ladies in the windows, but no decorations.

To Colonel *Blacker*.]—I heard afterwards that you desired the people to disperse, and they, in a few minutes more, walked off, marching off.

To the *Solicitor-General*.]—They marched back in the same order or procession in which they had come; I followed them; they then walked half an hour through the streets; I saw some of them after they had dined; when Colonel Blacker desired them to disperse at Carrick, they went no farther that way; I was not one of the party; a spectator only.

The Solicitor-General asked if there was any other witness willing to state what he knew in this business, to confirm or contradict what had been said. He would be happy to hear others. No more appearing, Colonel Blacker read his written vindication, which he handed to the Solicitor-General.

Captain *Wodhouse's* Case.

The Captain stated what he could prove in his defence, and was told he may produce witnesses.

Captain *Harte's* Defence.

The Captain said, he was on duty during the 12th July; he attended three days to take the Portadown informations; the correspondence with Government and Lord Gosford put

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it off; attended after. The chief constable, Captain Patton, said he had leave, and that very day was fixed from that day fortnight. He was surprised to learn that informations had been taken by another magistrate.

Captain Wodhouse's defence was about being proceeded with, when Colonel Blacker requested to say, respecting the effigy burning of Mr. Hancock, nothing could be stronger than his condemnation of such mode, particularly respecting the individual in question.

Mr. *Charles Brownlow*, magistrate.]—I did expect (to Colonel Blacker) to hear from you yesterday, a much stronger condemnation of the Tanderagee bonfire, and of the gentleman (Mr. Porter) who presided over it.

The *Solicitor-General* to Colouel *Blacker*.]—I wish to know, respecting Lord Gosford's letter of the 17th of September, was that the cause which induced the magistrates to postpone the information then, and would they have been taken if that letter had not been received? He asked the magistrates to answer.

Colonel *Blacker*.]—Most undoubtedly.

Captain *Wodhouse*.]—If that letter had not come we would have taken the information.

Captain *Hill*.]—We agreed, in consequence of that letter, to postpone the informations.

The Complaint against Captain *Wodhouse*.

Captain *Wodhouse* examined.]—I never thought of the 1st July when the parade was fixed for that day; our permanent serjeant was dead; we wanted a fresh muster roll, as the widow refused it; I saw flags in the church that day, when I came down; placed the men in a close yard: the corps, to my knowledge, did not march that day through the streets, before or after parade; nothing was done scarcely, but calling the names of the members; no drums or fifes played; the men brought their arms for examination; no party symbols; I disarmed them before I left the shambles.

Serjeant *Jackson* sworn.]—I am serjeant of the corps; the captain gave the orders for parade; after firing over the old permanent serjeant's grave, I went to his widow for the muster-roll; she would not give it; I advised the captain to call a parade to make out a new muster-roll; at my suggestion the drummer received the order for a parade; on the Monday the men assembled between four and five; the men did not march through town; some had military clothes; no Orange procession took place that day; there might have been a bonfire; every man's name that attended was taken down, and inquiries made about those who did not, to make out a muster-roll; that was the sole object of the parade, I swear it was; there were drums and fifes, but not played on parade; heard them in a public house beating; we have three drums in the corps; the drums and fifes came to parade but did not play while the men were under arms nor when breaking up; I did not hear the fife, I heard the sound of the drum where they went to drink; cannot say it was the drummer of the corps who beat it.

Mr. *Wodhouse*, the new permanent serjeant of the corps, sworn.]—The order for parade given was for some day shortly; the captain said, when told Monday would not be convenient, "I'll have it on Friday, then;" he said that he was told would not answer, they must have time to clean their arms; "Well," he said, "I'll put it off no longer than Monday, on the virtue of my oath;" had I known it was the 1st of July I would have suggested to him to put it off; we made a new muster-roll, but no other business, but put the men through some new motions of exercise; I heard no drum or fife, no music, no colours; it is customary for a new person to give the men a treat; I was the new permanent serjeant; marched the men down, gave them a treat, marched back again; it is not usual to have Orange processions the 1st of July.

Daniel Bullen sworn.]—Lives next the shambles; when the parade occurred the names I saw were taken down; the drums were in my house; one fife; and one of the police played different tunes; one fifer played "Protestant Boys," while the men were in the shambles; the permanent serjeant marched them down and back.

Captain *Woodhouse* said, when he discovered it was the 1st of July, and recollected the parade, he said some construction different from what is intended will be put on this.

Tanderagee Investigation; Second Day; Friday, October 18th, 1833.

George Hardy examined.]—I remember the 24th July, &c.; I knew the evening before that a bonfire was to be for the acquittal of the Orangemen tried at Armagh; they got a pitch barrel from William Porter's son; spoke to witness about it; Mr. Porter said he wished to have a blaze, in consequence of the acquittal of the Orangemen; Mr. Hancock's name was not then mentioned; he heard of his name on the evening of the fire; does not recollect from whom I heard of Hancock; heard, and believe, my brother was not at Tanderagee, but Newtown; A. Hardy lives about a mile from the town; saw Dr. Patton and Dean Carter at the fire; was some cheering at the time when there; Mr. Trotter and Dr. Patton was chaired, while I was there; and the effigy burnt before witness came up; did not see Dr. Patton taken up, nor did he seem desirous to be taken up; witness saw the chairing; saw Mr. Porter also chaired before Dr. Patton; William Porter sat more erect.

Cross-examined.—Heard nothing of the effigy on Monday evening; just as likely witness would have heard of it, more so than either Dean Carter or Mr. Lofty; Wednesday evening the effigy was all consumed; we went up with Mr. Trotter and Mr. Kineard; Mr. Trotter and Mr. Kineard were in coloured clothes, not in uniforms; we went from curiosity, and kept

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kept outside the crowd; do not know if Mr. Trotter was there before; more than 100, above 200 were there; heard no groans; did not wish to be seen; heard no shouts of burning Hancock; witness staid all the time with Trotter and Kineard; they came and went together; Trotter took no part in witness's presence, save as a spectator looking on from curiosity; did not see Trotter wave his hat; saw young men attempting to chair Trotter, Cullen and Ham; witness helped to save him in avoiding the chairing, which he did not wish for: Dean Carter was standing in the Mall; and was there Lady Mandeville and ladies were with him; Lady M. leaned on Mr. Porter's arm; Dean Carter did nothing; I think they were best consulting the preservation of the peace by letting it go on as it went so far; there did not appear to be any disposition for a breach of the peace, or commit violence, but had this bonfire made merely to amuse themselves; I know Mr. M'Connell is active in this matter; I think he does not stand on good terms with Mr. Trotter; heard of his complaint about the post office; on those complaints Mr. Trotter (post master) was always acquitted upon the charges; Dr. Patton and Mr. M'Connell do not stand on good terms, nor does Mr. M'Connell with any of the party; I heard first of the bonfire on Tuesday evening; on Tuesday evening or Wednesday morning I had a conversation with Dr. Patton relative to the fire, he disapproved of it altogether, and said it ought not to have taken place; he did not assign any reason, but he thought it was uncalled for; I think he said that he did not like it; I think he said he did not approve of such a demonstration of popular feeling; I think this was on the morning of Wednesday, am not quite sure; it was either then or Tuesday evening; on Wednesday I had a similar conversation with Mr. Trotter, he expressed himself in similar terms of disapprobation of the bonfire; I do not think the Roman Catholics of this town are in any fear, or were; never heard that expressed.

To the *Solicitor-General.*]—Mr. Kineard, Trotter and I remained outside; I did not wish to be seen there countenancing the thing, because I did not approve of it; I do not recollect Trotter or I said anything coming; I did not know where Mr. Trotter was before I went up; he might or might not have been there; I think if they had used their authority as magistrates and gentlemen, before the fire was lighted, they might have prevented the bonfire; no breach of the peace or tendency to riot was evinced.

To Mr. *Craig.*]—I did not, until after the fire, perceive any thing, any excitement greater than ordinary that evening, that would call for the interference of magistrates—no excitement or disturbance. Eight or ten persons were making a hole in the street; understood it was for a bonfire; made no inquiry; heard of the bonfire from common men; there was the usual situation for a bonfire.

Andrew Mitchell, examined.]—I am employed as gardener and steward, under Lord Mandeville. Saw the commencement of the demonstrations; cannot state the individuals making the preparations; I gave the individuals liberty to go and take what they thought proper from a parcel of wood grubbed out of the shrubbery, I was glad to get rid of; I gave authority for the pole; it was a thrown-a-side beech tree that had died; I permitted cut without authority; I think I was told by James Ogle what was wanted for the purpose; I saw the effigy brought into the street; on my oath, I do not know where it came from, or who made it, or whose house it came from; saw it raised on the top of a pole by a man; I think that man was George M'Connell, a labourer under me; I did not reprove him; I had merely a glimpse of it; heard afterwards it was intended to represent Mr. Hancock; gave no information about it; thought nothing wrong in it; took no part in it. I know William Davis, the carter of Lord Mandeville; think he was carrying sticks for the fire with the rest; was not at giving refreshment; I saw it done; I do not know who furnished it, but believe it came from the Castle; I heard, and make no doubt of it; I do not recollect the individuals; was backward and forward a considerable time about the fire; I did not throw in wood; heard cheering; saw Dean Carter, Dr. Patton, not Trotter; saw George Hardy; did not see Abraham Hardy; Dean Carter passed me at the gate, as he was going in; he came out between nine and ten; I could not see all the way of the wall, nor tell if Dean Carter took any part in what was doing.

To Mr. *Craig.*]—I saw Lady Mandeville with the Dean; I do not recollect any other ladies; I never heard that Mr. Lofty gave directions for supplying brambles or the pole; I gave him no intimation; he gave no directions on the subject whatever, and knew nothing of their being supplied from the Castle; Mr. Lofty is agent to Lord Mandeville; I heard that he has resigned, but he was agent that day; I heard and believe Dean Carter dined at the Castle that day; dinner is generally about six there.

George M'Coomb, sworn; and warned not to criminate himself.

The Solicitor-General said he would not involve the witness in any proceeding at law.

Witness proceeded.—I am a day-labourer for Lord Mandeville. On the 24th July last I carried something like the figure of a man to be burned; did not dress it; nobody gave it to me; I found it standing against the wall; was not surprised I found it there; heard the people say something was to be burned; I got it inside Lord Mandeville's gate, and brought it from inside the gate outside; looked at it; said nothing to it (*laughter*); heard some call it Ard-le-Hanlon; do not know where it came from; have not the least idea who made it; I carried him (the figure) out; he was put up and burned; I staid till I went to the public-house to get share of a tumbler of beer with Dan M'Coomb; he paid for a quart, I paid for another quart; I had no curiosity to ask where it came from, or who put it there; did not see the Dean; I got some drink; my memory was a little affected; I heard cheering and groaning, but could not tell what it was for; I heard the little people shouting; heard the name of Hancock, but could not tell whether in praise or not; I did not carry out brambles; I took plenty of Castle beer; I did not pay for it; I got it *free gratis*; I found the effigy, not close to the gate, a good distance in under the plantation.

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Peter M'Corker, sworn.]—I am a mason. I never saw the effigy, nor do I know who made it; heard two days before the 24th that the fire was going to be, from the men about the Castle, about the men getting out of gaol; it was said to be the effigy of Hancock respecting what he had done about the men from Lurgan, arresting those men; I cannot say who those men were positively, nor who made it; I know no handy men there who could do it but the Ogles.

To Mr. *Craig*.]—M'Connell never spoke to me about coming here; I am a Roman Catholic; felt not a hap'orth of alarm; I did not see Roman Catholics maltreated; felt no alarm whatever, not a bit of fear or care; I got some of the beer, but not that night.

James Ogle, sworn. [This witness was assured by the Solicitor-General he would not be made the subject of prosecution in consequence of what he deposed to respecting himself.]—*Witness*.—I saw the effigy, I think, first on Lord Mandeville's loft, the loft of the gate-house; a boy sleeps on it, and Robertson formerly slept on it; John Beauman, gatekeeper, lives in it; it is on the right hand, and has a separate entrance to the loft; I first saw the effigy in the loft between seven and eight o'clock; heard a little of it on Wednesday morning; was not working in loft; cannot be sure of any one talking of it in the morning; perhaps more than one may be concerned in the making of it; cannot be sure; cannot tell who the principals were; Mr. Robinson, Lord Mandeville's gardener, had something to do with the making it; I saw him in the loft; past six I went into loft; till then did not know it was there; the voice of the people said it was for Hancock; Robinson is not here.

Mr. *M'Connell*.]—My Lord, I cannot get him summoned; he has absconded.

To Mr. *Craig*.]—Witness: In my opinion Mr. Lofty knew nothing about the bonfire.

Archibald Ogle, sworn.]—I saw the effigy first when it came out from the gate, carried I do not know by whom; they were strangers; I am not long here; saw it burning; cannot say who were at the making of it; they called it different names, Ard-le-Hanlon and Hancock; it might have been burned under the names of the two; was at the fire, I suppose, an hour; stood in different places while fire was burning; I did not know Dr. Patton, or Dean Carter, from others.

Mr. *Porter* stepped forward and said, if called before, I know a great deal and would save a great deal of time and trouble. I received a summons, my lord; is it right to erase one name and insert another in a summons?

The *Solicitor-General*.]—That is not irregular in the summons, if it had the authority of Lord Gosford.

Mr. *Henry John Porter* then sworn.

The *Solicitor-General*.]—We will hear any statement, or any one who wishes to answer voluntarily any question.

Witness.]—I was in Tanderagee on the 24th of July; I was aware of the bonfire; was present at it; not aware of the effigy; the intention of the bonfire, I believe, originated with myself on Tuesday night; the trial of the Orangemen terminated on Monday night; between five and six on Tuesday evening it occurred to me to be a good thing to have a bonfire to commemorate the acquittal of our friends; I consider the Orangemen our friends; I called on Mr. Hardy about tar-barrels; it was too late, and put off that evening; told James Ogle about bonfire; I saw the brewer's dray come to the Castle; I bought a barrel of beer myself; it was paid for by me; it was never in Lord Mandeville's house, but laid down; several, and I, amongst others, paid the expenses of the Orangemen who were tried, and for that reason had the bonfire here; I saw nothing that I believe was an effigy; was anxious that Lord Mandeville's boys should see the bonfire, being a pretty thing; I saw this on the loft, which I believe was afterwards burned; I gave no directions, and did not interfere about the bonfire. When about to retire that evening, after coming out with the Castle party, I was unwillingly carried about by the people, then let down from their shoulders; Dr. Patton happened to be next me; I took hold of him; they carried him, helped him up greatly against his wish; I returned to the Castle; saw the effigy burning; Dean Carter and we were all together of the Castle party, were very close; heard cheering for Lady Mandeville; we, the Dean amongst others, took off our hats—took them off in compliment to Lady Mandeville; I certainly took off my hat when I was cheered; I have no doubt I did; others told me the Dean did; I saw the effigy burning; heard it was to represent Hancock; dare say it was what was on the loft; I dare say it was the same; I had no curiosity or thought about it; the object I was most engaged in was the delight of the little children; I did not express any thing against it; I did not perceive Dean Carter acting any way until ladies withdrew; it was a rude sort of thing, something like a man—clearly very like a man; I had no idea whether it was intended as a compliment or otherwise; I did not think about it; I would not care about my being burned in effigy; I do not know whether burning in effigy is calculated or not to add credit to the magisterial character; I would not encourage it; whatever influence I may have, do not think I could prevent it; I could have no influence over what I was not aware of; when I saw it on the loft, I could not tell that it was a thing to be burned; I did not mention seeing the figure; it was a surprise when it came out; yes, surely, I thought it was right to celebrate the acquittal of the Orangemen in a peaceable, quiet manner; I would not have thought it right to cast a reflection on any gentleman; when he, Hancock, was named, it was evident it was intended for him; I cannot form any opinion whether it was or was not calculated to cast discredit on Mr. Hancock; I do not think it a compliment, nor do I consider him in danger from it; I cannot tell what the intentions of those who erected it were towards him; I cannot form an opinion, as I heard no remark degrading to him, whether it was intended as a reflection on him; when I was let down, Dean Carter had retreated; I was taken up against my will; I had much rather

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rather not, according to my own feelings; I was so much annoyed, I wished the doctor to be taken up in the same manner; as far as joy for those acquitted, our feelings were all in accordance, but not with respect to Hancock; I should be sorry any gentleman would be insulted; I know not what my disposition may be, if I felt it intended with joy to express condemnation; I know not how far interfering would be regulated, or the likelihood of success; when I saw the fire, it was impossible to stop burning the effigy; I do not know it was intended as an insult; I did not consider about it, or think of Mr. Hancock; I did not know that was an insult; cannot speak for other person's feelings; I do not know how the Orangemen felt about Mr. Hancock; the people tried were not from Tanderagee; I know not whether the conduct of Mr. Hamilton, in carrying into effect the anti-procession law, was popular or unpopular with those at the bonfire, or in this particular town what they thought of him, I can form no opinion; I took no means to collect those people; Mr. Hamilton, of Trulert, dined at Lord Mandeville's; I did not see him come out; I believe he did.

To the *Solicitor-General.*]—I saw no one whatever interfere or express disapprobation of those people; Dean Carter did not interfere.

To Mr. *Craig.*]—I am satisfied Mr. Lofty's agent gave no order for the bonfire, or was at all privy to it; I am satisfied Lofty knew nothing of the effigy; he was not that day about the Castle. The crowd about the fire were peaceable; nothing unpleasant occurred. Catholics and Protestants seemed all to be enjoying it, numbers of both were present. Is sure Mr. Lofty could not have dispersed them; is sure if attempted, loss of life might have occurred; if collision occurred lives might have been lost. I would have done as he did, and I think he acted best for the preservation of the peace. Mr. and Mrs. Calthorp were at the castle; I kept the children up; it was announced to the company that the bonfire was lighted. Lady Mandeville was aware I was to come in for the boys; I just merely announced it; I said nothing about an effigy until they saw it in the street. It was my announcement that brought Dean Carter, Lady M., and the Dean's daughter (on his arms) out; Lady Mandeville accompanied the children. The Dean got into the Castle before me; I saw him moving his hat—it would have been a mark of disrespect if he had not taken his hat off, when that which could not but be construed into a compliment was paid to a lady leaning on his arm. When the party was invited to the Castle they did not know of this bonfire, save Lady M., when I asked her to let the children come; neither did they know of the effigy. Dean Carter did not know of it; if any other gentleman was near me would have perceived him.

To the *Solicitor-General.*]—I think from what occurred at other places, other parts of the country, when police were injudiciously brought forward to disperse assemblies of people, if magistrates, with four police attempted it here, something might have occurred. I never, when preparing it, never contemplated any such congregation of persons as assembled at the bonfire; never contemplated any benefit from it. I thought all were of one mind, all but this gentleman here.

Mr. *M'Conneil.*]—I am not a Roman Catholic, I am a liberal Protestant which I wish you were.

Witness.]—I cannot tell; I cannot form an opinion whether this democratic law might have provoked unpleasant feelings if an opposite party which were not of the same mind had been here.

To Mr. *Craig.*]—I am satisfied several Roman Catholics assisted in getting up this bonfire.

Mr. *Craig.*]—Do not you believe the Anti-Procession Act is as unpopular with Roman Catholics as Protestants?

The *Solicitor-General.*]—That is an inquiry I will not enter into. You may as well ask whether the English laws are popular or not.

Charles Brownlow, Esq., sworn.]—I am a magistrate for Armagh; I was with Mr. Hancock when the examinations were taken at Lurgan. We told the men who were brought up, that we were anxious to take their bail; they declined giving bail, and we had to send them to Armagh gaol in consequence. I did not witness any diversity of feeling on that occasion; the feeling was nearly universal; the proceeding had the appearance of being particularly unpopular with the Orangemen of the county. After the assizes ended in Armagh, I returned to Lurgan, when I returned I saw the first demonstration of feeling at Portadown church, where an Orange flag was hoisted on the church. I met Colonel Blacker; I proceeded to Lurgan and saw a flag on that steeple also. There were several persons at the toll-gate; I passed on without receiving any notice; guns were firing during the time; flags were flying, and the noise was heard of the assemblage of large bodies of people, a large assembled multitude during the whole night. I saw marks of fire before Mr. Hancock's door the next day, and his windows were broken. I do not say any such thing as that the whole Protestant population had the same feelings on this subject. I should be very sorry, I should hope a very large portion has not; but as far as I saw on that occasion it was a feeling condemnatory of the conduct of Mr. Hancock and myself; I think burning a magistrate in effigy is calculated to bring the laws, and the vindicators of the laws of the country into great disrepute, and if something is not done to prevent such a proceeding, it will be in vain for the magistrates to assert or vindicate those laws.

To Mr. *Craig.*]—I never heard of any effigy burned for my conduct on that occasion. I dare say with the Protestant exclusives, that may render Mr. Hancock unpopular as party feeling runs very high in this county; that, like every other question in this country has assumed, and wears a very strong party aspect now. Totally I consider that effigy burning indecent in the fullest degree, an insult to a clergyman. I acted little as a magistrate, Mr. Hancock is my agent, and the only acting magistrate in Lurgan. On the 12th of July I met

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Mr. Hancock in my office, he spoke with reference to the day; he consulted me, that with reference to the peace of the country there it might be unwise to interfere; we did not interfere, but the police brought us the names of persons who attended; we sent them to Dublin and took informations by order of Government. I heard what was stated here yesterday, and this day a double motive has been attributed to Mr. Lofty and Dean Carter. I would not attempt to disperse the meeting as there were doubts of the successful interference of Mr. Lofty and Dean Carter. I should think interference at first would be most likely to arrest it afterwards, had they attempted it they might have failed.

[Case for complainants closed here.

The Solicitor-General said, Dean Carter or any other gentleman were at liberty to produce any witnesses they may think necessary for their defence.

Mr. *Craig* was proceeding to make a statement.

The Solicitor-General said, if he made any statement, a speech to evidence as a counterpart must be made; but Lord Gosford and he, if he thought full justice could not be had without it, would hear him; they however had no power to pronounce any judgment, and were merely there as reporters.

Mr. *Craig.*]—Very well, as evidence is taken down on both sides, I shall proceed in defence of Dean Carter, Dr. Patton, Mr. A. Hardy and Mr. Lofty.

For Mr. *Lofty.*

Mrs. *Lucy Mee,* sworn.

The Solicitor-General said, he departed from the rule of evidence first laid down, as he found it was inconvenient; the same indulgence he allowed Mr. Craig therefore must now be extended to the other party.

Witness.]—I recollect the night of the 24th of July, the bonfire in Tanderagee; I, after tea, took a long walk with Mr. Lofty and my daughter; we had tea at seven, returned about ten with Mr. Lofty and my daughter; I observed a great crowd about the Mall in the street; heard drums and fifes, but knew nothing of this bonfire previously, nor Mr. Lofty, I am convinced, or he would have said something about it. I came with him; when we had left the village, we saw no disturbance or particular crowd in the town; they were just going to light the fire; when we returned, there was a great crowd. I went in, remained some time in Mr. Lofty's house. Mr. Lofty remained within, and never afterwards went across his hall door out. He sat in a parlour writing. He did not even come into the drawing room until I brought him into the drawing room to see the fire. I believe he knew nothing about the bonfire, positively he knew nothing about the effigy; I told him of the effigy; he had no idea of it when we went out to walk; when told of the effigy, he said it ought not to be, it was very much against his wishes, and was very sorry any such demonstration was going on; when the fire was in full blaze I called Mr. Lofty; it was then so very brilliant I called.

To Mr. *M'Connell.*]—My daughter was married to Mr. Lofty's son. I saw no crowd when we went out near Mr. Lofty's house; during our walk not a word passed about this bonfire; there was a number of persons present when we returned. I never knew any thing about it. It was into the room with a window looking towards the fire I brought Mr. Lofty, the drawing room; found many ladies there; there was no party there that evening; every evening the ladies assemble at Mr. Lofty's; there were two Miss Fergussons, from Dutting, on a visit, with Mr. Crea; Miss Mullens, the governess, a number of children, Miss Patton; cannot say; several came in to see the fire; ladies came it there frequently, into Mr. Lofty's, without the inducement of a fire; I met those ladies there before and since very frequently; I was not in the least snrprised to find them there, nor should not this evening. I made Mr. Lofty, against his inclination, come in from the parlour to see the fire; he did not look out many minutes; positively he did not afterwards leave the house; he might go out, but I know he did not. The drawing room doors were open to the hall. I am not going to say what he could do, I am saying what he did. I positively believe he did not.

To Mr. *Craig.*]—I know not of any invitation to see this bonfire; oh, no.

To the *Solicitor-General.*—I believe Mr. Lofty is about 60. After the walk, there was a conversation with Serjeant Stratton. I was told about the effigy by the people about the door, that the effigy of Mr. Hancock was to be burned. I do not indeed know where Mr. Lofty was at that time; Mr. Lofty indeed knew of no effigy; heard it when it was on fire; after we returned from the walk, we had conversation with Serjeant Stratton; I cannot recollect if the fire was burning then; I believe the fire was burning when Mr. Lofty stood at the door and desired him to take care of it; the preparations were making.

Mr. *Lofty* said he was 35 years a magistrate, and would leave his case as it stood.

Dean *Carter's* Case.

The Rev. *Maxwell Carpenter,* sworn.]—I was not in Tanderagee on the 24th of July last, but was the day following; I had then a conversation with Dean Carter about this fire.

The Solicitor-General objected.

Mr. *Craig* thought this evidence part of the *res gesta,* as before any complaint was made on the subject.

Witness

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Witness said, he was frequently obliged to speak two or three times to the Dean, as he cannot hear; obliged to speak loud when I am carving for him; I will not say he is totally deaf; has a dulness of hearing; he has taken convictions all wrong; expressions evident to others are often inaudible to him. He is, I believe, 31 years a magistrate. He was made sovereign of Armagh when he first came to Newtownard. I did hear of one, but of one, complaint about magisterial duty against him; it was made to Government, the result was, I read a letter from Archdeacon Singleton, saying, the complaint was absurd, idle and malicious. I believe, (*looking at Mr. M'Connell*) I know the person who made it.

To Mr. *M'Connell.*]—Next day the Dean disapproved of the bonfire; he did not know of the effigy until next day. I am not a magistrate, and do not know it would have been a magistrate's duty to prevent it; I disapprove of the effigy, but a great deal more of taking notice of it. I recollect the night of the fire; I heard no sound of drums; at home, the maid said, about nine there was a burning near the Castle. I heard respectable men complain of Mr. Hancock's handcuffing three men sent to gaol. I do not know that it was done however.

The *Solicitor-General.*]—If it was done, it occurred to Mr. Hancock that the public peace required it; if the Dean wishes to make a statement we shall hear him. I do not call for it. It is his Excellency's wish to have the fullest information from every quarter and from every person.

Mr. *Craig.*]—Dean Carter rests his case on his entire ignorance of this matter. He has already stated to Government his defence, not on oath: the Government have been pleased to act, and not think it necessary to say any thing.

Mr. *Trotter's* Case.

Mr. *James Kineard* sworn.]—I recollect the bonfire at Tanderagee on the night of 24th July; I saw Mr. Trotter about nine or a little after that evening; saw him in the street nearly opposite his own door; the fire was at top; I met George Hardy towards the bonfire; Mr. Trotter was not at the bonfire when I met him; it was in view then; George Hardy and I went with Mr. Trotter to the bonfire; I saw no effigy; it must have been consumed, then, before we arrived; we kept to the left of the circle, quite outside; I went from curiosity, I believe it was nothing but curiosity induced the others; I heard no groans at all; I do not think I heard Hancock's name mentioned at all at the fire; Mr. Trotter was all the time in my view; I saw an attempt made to chair him, he resisted it; he endeavoured and did get off; I did not see him wave his hat; he was in my view all the time of the fire; he may turn round; could not wave his hat without my seeing him; a bank stopped the two men, Cullen and Ham, from chairing him; saw Mr. Hardy assist in rescuing himself from the men; the magistrates with four police, I think, could not stop the business; it seemed to give offence to nobody; the people were only bent on enjoying themselves for their amusement; it might have been imprudent in any one to prevent them; from my knowledge of the feeling of parties, that was not in the least calculated to excite terror in Roman Catholics; saw no indication of offence having been taken by Roman Catholics; saw a number of Roman Catholics there, amusing themselves along with others; as far as I have reason to observe and know, I believe towards Dean Carter, Mr. Lofty, Dr. Patton and Mr. M'Connell, feelings are very hostile.

The Solicitor-General said they merely wanted to know the facts of the Tanderagee case; the true statement of facts.

Witness.]—I know Abraham Hardy, he lives a little way in the country; I did not see him at the fire.

To Mr. *M'Connell.*]—I am Abraham Hardy's brother-in-law; will not swear he was not there; I went from curiosity; heard in the evening Hancock was to be burned in effigy from people in the shop, in the course of the market; we do not dine market days; saw no unusual crowd in the street that day, until I went up; there were persons between the houses and where we were standing, persons also straying about; saw Dean Carter, but doing nothing; I will not swear Mr. Hardy did not wave his hat; if a number of Roman Catholics had been there it might have been offensive to that part of the community; I saw no cause of offence given or taken; no person went for Mr. Hardy from me to take punch; I do not think Abraham Hardy was in town that evening.

John Porter sworn.]—I recollect the 24th of July; was at the fire when it commenced; saw Dr. Patton there when the fire was blazing, about half an hour after the fire commenced; he was standing next the porter's lodge, at the end of the Mall, about twelve yards from the fire; I did not hear the crowd shouting Hancock's effigy was being burned; saw an attempt to chair Dr. Patton, he resisted it, and was forced on the shoulders of the people; he wore no regimentals, plain clothes; he is an officer of the Tanderagee yeomanry; he struggled with his entire power; saw the Dean with the ladies; knows John Orr, he lifted Dr. Patton that he might be chaired; Dr. Patton got hold of and hurt him, struggling to get off; I went from curiosity.

To Mr. *M'Connell.*]—I am apprentice to Mr. Trotter, Tanderagee; he has six boys apprentices; I saw the fire that evening; the object of it was to celebrate the release of the Orangemen, nothing else; was several times round the fire; was not inside Lord Mandeville's gate; I used no gun or fire arms that evening, nor Mr. Orr, to my knowledge; I do not know of the other boys bringing fire arms out; saw Dr. Patton chaired; saw Dean Carter, but doing nothing; there were half a dozen drums, they played different tunes; I went home, and found Mr. Trotter in his own house; saw the fire about eight o'clock, and, I think, I left Mr. Trotter in the house; there were only five apprentices at

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that time; I did not see him in the place when I left; I do not think he was at the fire; have no reason to think he went out; think he was in the house; I do not give evidence to serve him; he was standing near the window when I saw him, but not cheering or waving his hat.

To *Mr. Craig.*]—One apprentice is about eleven, another about twelve, another about thirteen, another fourteen or fifteen.

To the *Solicitor-General.*]—I left Mr. Trotter and the younger lads in when I went out.

To Mr. *M'Connell.*]—I saw no Orange display from Trotter's residence at this time; some went off with lilies, from the fire perhaps.

To *Solicitor-General.*]—I do not recollect any Orange flags; I saw no one carrying them; saw no lilies that day; Trotter keeps the post-office; there was marching in Tanderagee on the 12th of July last; great displays of Orange lilies in the windows; I have heard it was pretty general all over the country.

John Orr, examined.]—I was at the fire; saw Dr. Patton chaired; I assisted in cheering; Dr. Patton struggled to avoid chairing.

To Mr. *M'Connell.*]—I went off about nine o'clock; Mr. Trotter was at home. I do not think we would have chaired you (to Mr. M'Connell); I assisted in getting Dr. Patton up; it was to pay him a compliment.

To the *Solicitor-General.*]—I heard from different people that there was to be a bonfire; had no conversation with Trotter on the subject; remained out an hour after.

Dr. *Patton*'s Case.

Dr. *Patton.*]—It is principally of the motives that are attributed to me, I complain; I admit the facts; he asked to be examined, which request was complied with.

Dr. *Patton,* sworn; Said, at the time I first heard of this bonfire I disapproved of such a display of popular feeling. I was very busy on Tuesday evening, and when I heard again of it, it was Wednesday evening after tea, between seven and eight. Mrs. P. proposed I should walk up and visit her aunt; I did go, and the two youngest girls with us; I live a few doors off Trotter, and a hundred yards from the bonfire; they were making it; went and sat with Mrs. Lofty more than half an hour; I went over and saw a bonfire standing outside the skirts of the crowd; was speaking to Anderson, who said, Lady Mandeville is out; I said, I will go and speak to Lady Mandeville; I went; this was the first time I saw the effigy; there were cheers for Lady M. and Lord M. and others; I took off my hat merely, and neither waved or gave cheers; the ladies, when they proposed to chair Porter, seemed alarmed; Lady Mandeville and the children went into the gate; I returned when I removed the children; Mr. Porter was then laid down on the steps; he said, "Here, chair Dr. Patton;" I made all the resistance I could without hurting them; went to Mr. Lofty's, then went home.

To the *Solicitor-General.*]—The fire was kindled when I went to Lady Mandeville; the effigy was burning; a girl outside said it was intended for Hancock. I had been half an hour previously in Lofty's parlour. There were cheers for Lord and Lady M., Lord Roden, Colonel Blacker, Porter; I heard no groans; cannot tell the objects of the crowd; the bonfire, I heard, was for the Orangemen; I disapproved of it; I must conclude from what I saw and heard, there was a double purpose in it; I had not uniform on, nor had uniform on for a number of years.

To Mr. *M'Connell.*—As far as I recollect, the first time I saw the effigy, when I went to Lady Mandeville; remained more than half an hour; I saw Dean Carter; I cannot say he knew it; have no influence in any matter of moment; am captain of a yeomanry corps; I know the Boyne Society; I know what you mean, I was once district grand master of the Orangemen, if that is what you mean; I do not believe I had much influence with the Orangemen at all; I did not hear any magistrates took proceedings about this; my opinion is, they consulted the peace of the country more by not taking any.

To the *Solicitor-General.*]—There was no fifer or drummer of my corps there; yes, I saw one there; never saw a magistrate's effigy burned before; think it very improper; during the half hour I was there, I made no observation; there was a foolish fellow there dancing; I minded his antics more than any effigy; I made no observations on the impropriety or indecency of that exhibition. The first time Government discountenanced Orangemen, I think about eight years ago, I received an order that no officer in uniform should appear in an Orange procession; we did not permit music or drums to any processions of the sort. In obedience to orders from Dublin Castle, I issued my orders; they were obeyed, save by one individual on the 12th July; one drummer disobeyed; when parade was over he gave me a saucy answer, when I seized his drum and gave it to a constable, and did it at the risk of my own life.

To Mr. *M'Connell.*]—I am an Orangeman and member of an Orange lodge, but joined no processions prohibited by Government; I heard of the gun club, formed by young men, I understood to get guns raffled for.

To the *Solicitor-General.*]—Since the 24th July I dismissed Richard Morris from my corps for non-attendance at the drills; the circumstance of his making an affidavit on this Tanderagee business formed no ingredient in my motives; I did not know of his affidavit until the Lord's notices included it; Morrison never came forward to excuse himself, and offered for a sum of money, I understood, to give away his appointment; I never heard his inculpating me until Colonel Garrett sent me his petition.

To the *Solicitor-General.*]—Before I dismissed Morrison I heard he offered to make an affidavit, but I solemnly swear, if he had not made the affidavit I would have dismissed him for

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for disobedience of orders, and that formed, as I said, no ingredient in my motives; Morrison came to one parade after the order was issued for his arms to be taken; I dismissed another man on the same day for the same offence, his name is George Reppel; I received no orders from Government not to attend drilling.

Colonel *Blacker* sworn.]—I know Dr. Patton; he commanded the Tanderagee corps in my brigade a good number of years, twenty odd, I fancy; I had many opportunities of observing his conduct; as an officer he was always most attentive to the discipline of his corps in every particular; the corps is in a high state of discipline; I am sure no orders would come from Government that he would not obey with steadiness and promptitude; with regard to the burning of Mr. Hancock's effigy, I am convinced he is one of the last to countenance it, for this reason, he was a brother yeomanry officer also.

To Mr. *M'Connell.*]—I consider it the duty of an officer of yeomanry to respect the laws, not but it may be dangerous for asserting them, a man may be in danger and tried for his life for it; it depends on the circumstance if remaining half-an-hour at a burning effigy is supporting the law, a lady protecting a lady, or looking at a fool dancing; I do not think a yeomanry commission calls on him to think on the subject, or prevents his indulging in curiosity; I do not think it would be contrary to a yeomanry officer's duty as a citizen to remain as he did, under the circumstances; if on duty, he would deserve censure; if I had been protecting ladies and children I might remain an hour; I do not think his yeomanry situation has any thing to do with his duty as a private citizen, nor is he to be visited for what he does as a private citizen; a yeomanry officer is the very reverse of a magistrate, from being always on duty; a magistrate is always on permanent duty.

To the *Solicitor-General.*]—In my opinion, had Dr. Patton been in the discharge of his duty as a yeoman, to have remained without interfering would have been indecent; not on duty as a yeoman, he is to be considered in his private capacity only; a magistrate is always on permanent duty; I should think, when a magistrate, in such a case as the Tanderagee effigy, sees his influence can be exerted with advantage, he should use it.

Would it not be his duty to withdraw, and not give the sanction of his presence?

Colonel *Blacker.*—Generally speaking, it would be more consistent with his magisterial duty to withdraw if he could not prevent.

William Murphy sworn.]—I am a day-labourer about Dean Carter's, from six to six o'clock; I was at the bonfire, but Dean Carter knew nothing about it, about my being there.

To Mr. *M'Connell.*]—I am a member of Dr. Patton's corps; I cannot say how long; believe a year; I keep Dean Carter's gate; I know Mr. Bride, the Dean's coachman; I did not see him at the fire.

(E.)

ADDRESS of the Belgian Prelates to the King of the Netherlands.

(E.)
Address of the Belgian Prelates to the King of the Netherlands.

Sire,

We believe it our duty no longer to delay expressing to your Majesty, the surprise and the grief which your Proclamation of the 18th of this month (July) has caused us.

In the conviction that it is the first duty of the bishops to speak the truth to the throne when the grand interests of religion are in question, we now fulfil this duty with the more confidence and frankness, as your Majesty frequently testified to us your intention to protect religion with all your power, and as in that very proclamation, which is the cause of our uneasiness, you assure to the Catholic church its establishment and its privileges.

Sire, the existence and the privileges of the Catholic church, in this part of your kingdom, are inconsistent with an article of the plan of the new constitution, by which equal favour and protection are promised to all religions.

Since the conversion of the Belgians to Christianity, such a dangerous innovation has never been introduced in these provinces unless by force. The attempts of Joseph the Second to maintain it were fruitless. The tyranny of the last French Government established it in theory; but no religious troubles ensued, because the head of the state protected the Protestant sects, as little as he did the Catholic church. After this, however, the declared enemy of all religion was overthrown, the Belgian church recovered all her spiritual rights. In the Ordinance of the 7th of March 1814, which the Commissioners of the Allied Powers expressly confirmed, the general Government of Belgium declared, "Henceforward the ecclesiastical power, and the temporal power, will be inviolably maintained in their respective limits, as they are fixed by the common law, and by the ancient constitution of the country."

Sire, we do not hesitate to declare to your Majesty, that the canonical laws, which are sanctioned by the ancient constitutions of the country, are incompatible with the projected constitution, which would give in Belgium equal favour and protection to all religions.

The canonical laws have always rejected schism and heresy from the bosom of the church.

The Christian Emperors thought it their duty to maintain these laws, and to secure their execution, as may be easily seen in the collection of edicts upon this subject. From Charlemagne down to the unhappy epoch of 1781, and the following years, all the sovereigns of this country in every age, exclusively protected the Apostolic Roman Catholic religion, and

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secured to it the undisturbed enjoyment of all the rights and privileges in the possession of which they found it.

The Council of Trent, all whose resolutions were published in these provinces, and have thence the effect of ecclesiastical law, after confirming all the old laws of the church which fix the spiritual jurisdictions, the rights of the bishops, of the chapters, of the universities, and in general of the regular and secular clergy; commanded the bishops to see to the execution of them, and carefully to watch not only over the maintenance of the sacred pledge of the faith, but also that of the laws which concern the essential discipline of the Catholic church, and secure the consistency and inviolability of its government. These, Sire, are the duties of the bishops of these provinces; and the laws of the country have constantly allowed and facilitated the fulfilment of them, till a higher power prevented them in part from discharging them.

If your Majesty, when you secure to the Belgic church her existence and privileges, has the intention, as we conjecture, to maintain the entire execution of the holy canon law, we are incapable of duly expressing our thanks to your Majesty for it.

But we most respectfully take the liberty to lay before your Majesty an article of the new constitution, which, in securing the same protection to all religions, would be incompatible with the free and entire exercise of our official duties.

We are bound, Sire, incessantly to preserve the people entrusted to our care, from the doctrines which are in opposition to the doctrines of the Catholic church. We could not release ourselves from this obligation, without violating our most sacred duties; and if your Majesty, by virtue of a fundamental law, protected in these provinces the public profession and spreading of these doctrines, the progress of which we are bound to oppose with all the care and energy which the Catholic church expects from our office, we should be in formal opposition to the laws of the state, to the measures which your Majesty might adopt to maintain them among us; and in spite of all our endeavours to maintain union and peace, the public tranquillity might still be disturbed.

And since, by Art. 136 of the proposed constitution, the public exercise of a form of worship may be hindered, when it might disturb the public tranquillity, it follows, that the free exercise of our religion might be hindered by a possible consequence of the use of the rights and liberties of the Catholic church in these provinces.

We dare not conceal from you, Sire, that such regulations, if they were confirmed by your Majesty, could only lead to a renewal of the troubles which desolated these provinces in the sixteenth century, and that they must sooner or later alienate the hearts of your faithful subjects in this part of your kingdom, with whom attachment to the Catholic faith is stronger and more lively than in any other country in Europe.

Already* the proclamation of your Majesty, which announced that the new constitution should insure the liberty of religion and give all equal favour and protection, filled every heart with consternation. It is known that this dangerous system is one of the main articles of the modern philosophy which has been the source of so many misfortunes to us, that evidently aims at exciting indifference to all religions, at lessening their influence from day to day, and at destroying them in the end entirely. We are bound, Sire, to tell you the truth in its full extent. The clergy of these provinces have not observed without pain that your Majesty has been persuaded to exclude them from the assemblies in which the great interests of the state were discussed; that the plan of the new constitution contains honourable distinctions for the nobility, and that the clergy, once the first class in the state, are deprived of them; that it will not even have the right of being represented in the provincial assemblies; that its influence on the acceptance of the new constitution is carefully removed, so that the most distinguished members of the clergy, according to the expression of your Majesty's proclamation, are not among the persons most worthy of the confidence of their fellow-citizens; lastly, that they are not allowed to inscribe their disapproving votes on the lists of the Notables.

* Article 2nd.—No innovation shall be made in the Articles of this Constitution, which ensure equal favour and protection to all forms and worship, and guarantee the admission of all citizens to public offices and employments, whatever be their religious creed.

All these are measures which (we say it with grief to your Majesty) can appear to us only as an unhappy omen for the future, since your Majesty's ministers already account the opinions and votes of the whole clergy for nothing upon subjects which are as much within their cognizance as that of other private persons, nay, their peculiar province, as far as the interest of religion is concerned.

It is impossible to calculate all the ill consequences that may arise from the continuation of such a plan: for if the Catholic clergy are no more to be consulted upon the concerns of the church—if it is decided that they can have no share, or at least only an accidental share, in making the laws, especially those relative to ecclesiastical jurisdiction—how can they hinder any encroachment upon the inalienable rights of the episcopal dignity which belong to the existence of the Catholic church, and to the privileges which your Majesty ensures to it: may they not be arbitrarily lessened in national assemblies, when the clergy have no influence, or, at most, a very precarious one.

Experience has proved how important it is that the clergy possess a high rank in the state: the respect they enjoy extends to the religion itself, which teaches it. However great the personal merit of the servants of the church may be, yet, in our times, if it is not supported by high rank and legal privileges, which ennoble the functions of the priesthood in the eyes of the people, the clergy can oppose but a weak bulwark to the disorders which they have continually to contend with.

There are no good morals where there is no religion. As things now stand, religion is more or less respected, in proportion as its servants are more or less honoured and respected according

according to the existing laws. It is easy to confine the good in due bounds, but the wicked dare every thing against a clergy which does not enjoy a certain respect in the state.

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Your Majesty has doubtless remarked that the Catholic religion, which was established again in France by the Concordat, did not produce the expected effect, because, by the system of the Sovereign, the clergy enjoyed no rank, no consideration, no influence in the state. They were to be accounted as nothing: they were oppressed by all the inferior authorities: they soon became, as it was intended they should, incapable of doing good or of preventing evil.

We have the confidence that your Majesty will deign, in the submissive and respectful representations which we make to you in the frank expression of our sentiments, to see only the fulfilment of our most important duties under present circumstances, only a new proof of our devotion to your sacred person, only the sincere wish that your Majesty may reign over these fine provinces in constant peace, by a perfectly paternal government, and by a powerful and durable union between the clergy and the royal authority.

We are, with the profoundest veneration,

Your Majesty's most humble, obedient and faithful servants,

(signed) Prince *Maurice* of *Broglio*, Bishop of Ghent.
J. A. Barrett, Vicar-General Capitulary of Liege.
J. Forgeur, Vicar-General of the Archbishoprick of Malines.
Charles Francis Joseph Pisani, Bishop of Namur.
Francis Joseph, Bishop of Tournay.

July 28th, 1815.

(F.)

(F.)
Papers relating to the Riots at Belfast.

PAPERS relating to the Riots at Belfast on the 20/5th July last, and the Verdict on the body of *Anne Moore*.

The Sovereign of Belfast, respecting the Riots in that town in July.

Sir, Carrickfergus, 1st August 1835.

I beg leave to inclose a copy of the verdict of the jury on view of the body of Anne Moore (copies of the depositions on whose inquest were on the 21st ult. forwarded to London for the information of the Right Hon. the Attorney-General for Ireland). With respect to that part of the order requiring that there should be laid before the Committee "Copy of the Evidence taken before the Magistrates in Belfast relative to the riots on the (20th) 5th of July 1835," I beg leave to mention, that no such document has been returned into the Crown-office for this county.

I have, &c.

J. Drummond, Esq. (signed) *W. Bourne*, jun.
&c. &c. &c.

County of Antrim. } A Copy of the Verdict of the Jury at an Inquest on the body of Anne Moore, at Belfast, on the 14th, 15th and 16th days of July 1835.

We, the Jury aforesaid, having been duly sworn upon the inquiry aforesaid, and having viewed the body of the said Anne Moore, and having heard and examined such witnesses as were produced before us, and having weighed and considered the evidence and circumstances of the death of the said Anne Moore, do find that the said Anne Moore came to her death in consequence of a gunshot-wound inflicted by one of the military, whilst in the execution of his duty in quelling a dangerous riot, under the orders of the civil magistrates at Belfast on the 12th day of July instant.

(Examined.) (signed) *W. Bourne*, jun., C. Crown.

Copy Informations.—The King, on the prosecution of Thomas Walker *v.* Lennox Kelly, John McIlhatton and Patrick Connolly.

County of Antrim, to wit. } The information of Thomas Walker, of Belfast, in the county of Antrim, who being duly sworn, maketh oath and saith, That on Sunday the 12th day of July instant, when he this deponent was returning from church to his dwelling, he was struck and knocked down coming out of a lane or entry near Barrack-street in said town by a person to deponent then unknown, but whom he has since been informed was John McIlhatton; saith, that he pursued the person by whom he was so struck into Barrack-street, for the purpose of giving him into the custody of the constabulary, where he observed a large mob of persons, about one hundred in number, amongst whom was a person named Lennox Kelly; saith, that said mob was making a great noise and disturbance in said street, and that deponent was struck several blows by some person or persons in said mob to deponent unknown, and knocked down, and when so knocked down he was struck by Lennox Kelly, and beaten and kicked by others of said mob to deponent unknown, but one of whom deponent has been informed was Patrick Connolly; saith, that deponent's body and face were much blackened and bruised by said abuse, and he was prevented in consequence from attending for a considerable time to his usual avocation.

Papers relating to the Riots at Belfast.

Sworn before me, at Belfast, in the county of Antrim, this 22d day of July 1835; and Deponent acknowledges himself bound in 10*l.* to prosecute at the next general quarter sessions of the peace to be holden at Belfast in and for said county.

Thomas Walker. (signed) *John Agnew*, Sovereign of Belfast.

County of Antrim, to wit. } The information of Elizabeth Barrett, of Belfast, in the county of Antrim, who being duly sworn, maketh oath and saith, That she saw Patrick Connolly in the mob which beat Thomas Walker in Barrack-street in said town, on Sunday, the 12th day of July instant, and that she heard said mob cry out tear said Walker's umbrella.

Sworn before me, at Belfast, in the county of Antrim, this 22d day of July 1835; and deponent acknowledges herself bound in 10*l.* to prosecute at the next general quarter sessions of the peace to be holden at Belfast in and for said county.

Eliza Barret. (signed) *John Agnew*, Sovereign of Belfast.

Margaret Bole acknowledges herself bound in ten pounds to prosecute at the next general quarter sessions of the peace.

her
Margaret × *Bole.*
mark.

Truly read by me, *Henry Manning.*

County of Antrim, to wit. } The information of William Ferguson, of Belfast, in the county of Antrim, who being duly sworn, maketh oath and saith, That he hath heard read the deposition of Thomas Walker on the other side, and saith, that John McIlhatton was the person who struck and knocked down the said Thomas Walker at a lane or entry near Barrack-street in said town, on Sunday the 12th day of July instant.

his
(signed) *William* × *Ferguson.*
mark.

Sworn before me, at Belfast, in the county of Antrim, this 22d day of July 1835; and informant acknowledges himself bound in 10*l.* to prosecute at the next general quarter sessions of the peace to be holden at Belfast in and for said county.

(signed) *John Agnew*, Sovereign of Belfast.

Truly read to deponent by me, *Henry Manning.*

Copy Informations.—The King *v.* Charles M'Carty, and Others.

County of Antrim, to wit. } The information of Eneas M'Curdy and Richard Robson, two of the county constabulary, who being duly sworn upon the Holy Evangelists, deposeth and saith, That on the 12th and 13th days of July instant, a large and riotous mob of persons were parading Sandy-row, in the town of Belfast, and its immediate neighbourhood; and saith, that said mob of persons were guilty of various riotous acts, and were disturbing the peace of the neighbourhood; and this informant Eneas M'Curdy for himself saith, that amongst said riotous mob of persons were Charles M'Cart, Francis M'Keown, jun., Peter M'Cully, William Gordon, William Furlong, William Donaldson and Matthew Lambert; and saith, said persons were taking an active part in said riot; and informant, Richard Robson, for himself, saith, that amongst said riotous mob of persons, informant saw Henry M'Carty, Joseph M'Clure, David Johnston, Thomas Grieves and John Benson; and saith, that said persons were actively engaged with said mob in rioting and disturbing the public peace.

Sworn before me at Belfast, this 15th day of July 1835, and informants bound in the sum of 10*l.* each to prosecute at the next quarter sessions of Belfast.

Eneas M'Curdy. *C. M. Skinner.*
Richard Robson.

Sir, Belfast, 6th August 1835.

I had yesterday the honour of receiving your esteemed favour of the 4th instant, to the following effect, viz.: "I transmit herewith, by command of the Lord Lieutenant, copy of an order of the Select Committee of the House of Commons, respecting Orange Lodges, and I am directed by his Excellency to request that you will obtain and furnish me with the copy of the evidence taken before the magistrates in Belfast, required by the foregoing order, for the purpose of being laid before the Committee." The order of the House of Commons referred to above is as follows:

"House of Commons.
"Select Committee respecting Orange Lodges.
"Jovis, 23° die Julii, 1835.
"John Wilson Patten, esq. in the Chair.

"Ordered,

"That there be laid before this Committee copy of the evidence taken before the magistrates in Belfast relatve to the riots on the 20/5th July 1835.

(signed) "*J. Wilson Patten*, Chairman."

With

(F.)
Papers relating to the Riots at Belfast.

With much respect, I beg leave to say that I do not understand the manner in which the date is put down in the order of the Committee of the House of Commons, viz. 20/5th; but take it to be the 20th and 25th of July, and on that supposition take the liberty of informing his Excellency that on the 22d of July, in consequence of a riot which took place on the 12th of July, informations were taken by order of the magistrates against Lennox Kelly, Patrick Conolly and John M'Ilhaton for a riot, and assaulting Thomas Walker on that day; and the parties bound to appear at the next general quarter sessions to be held here in October next, copies of which I transmit herewith. I also transmit two papers, which were handed to me in Sandy-row, on the 13th of July, by Hugh Sloan, in consequence of which I caused all the persons whose names were written on them, to be summoned to appear before the magistrates on the 22d of July; but as the informant after being sworn could not identify any of them, they were discharged for want of evidence. I beg leave to refer you to my letter to Sir William Gosset, on the 20th of July last; when in reply to his Excellency's inquiry as to what further proceedings were taken against the rioters, I then stated, that "a number of persons charged with rioting on the 12th of July had been brought before the magistrates on the 14th," when informations were taken against twelve persons by order of the bench, and afterwards sworn to, and the parties bound to appear at the next general quarter sessions in October, before C. M. Skinner, esq. J. P. a copy of which I herewith transmit.

This information I received from Mr. Skinner's clerk, as I was not one of the magistrates on the bench on the 14th of July. Perhaps it may be proper to inform the Committee that it has not appeared in evidence that any Orangeman or Ribandman was engaged in the riot which took place in Sandy-row on the 12th and 13th of July, or in any riots which have since taken place here.

The Orangemen of Belfast district have, by public advertisement, denied all participation in the riot of the 12th of July, and called for the name of any individual connected with their body who was concerned in the transactions of that day, but no such name has been assigned. I beg leave further to remark, that an inquest was held on the body of Ann Moore, who lost her life on the 12th of July, and another on the body of William Trainer, who received a wound of which he died, and for the evidence adduced before the court, I take the liberty of referring to the coroner, W. F. M'Cauley, of the town of Antrim, esq. I have reason to believe from all I have heard that both the Green and Orange arches were erected by individuals neither connected with the Orange nor the Riband societies.

I shall be happy to communicate so far as in my power to his Excellency the Lord Lieutenant any further information his Lordship may require.

T. Drummond, Esq.
&c. &c. &c.

I have, &c.
(signed) *John Agnew*, Sovereign of Belfast.

Sir, Dublin Castle, 8th August 1835.

Referring to the Order of the Select Committee respecting Orange Lodges, dated 23d ultimo, I have the honour to transmit the accompanying papers relating to the Riots at Belfast on the 20/5th of July last, and the verdict on the body of Anne Moore.

J. W. Patten, Esq.
Chairman Select Committee respecting Orange Lodges.

I have, &c.
(signed) *T. Drummond.*

12th and 13th July 1835.

Charles M'Cristle, parish pensioner.
John O'Neil, labourer, Sandy-row.
Allen M'Clave, at the Distillery.
John Harston, Corn-market.
Henry M. Conaway, Barrack-street.
Pat. and Jas. M'Guakan, at Milkdeonds Hill.
Hugh Dougherty, Sandy-row.
James Murray, Boyd's Mill.

Received from Hugh Sloan, on Monday the 13th of July 1835,
(signed) *Jhn Agnew*, Sovereign of Belfast.

Witnesses.

Mrs. Collins, Barrack-street.
Andrew Collins, Sandy-row.
Robert Woods, ditto.
Joshua Gilmore, ditto.
Jas. Munde, ditto.
John Collins, Barrack-street.
Thomas M'Cappen, Sandy-row.
Robert Montgency, attorney, Castle-street.
Alexander Taggart, Sandy-row.
Robert Thompson, ditto.

12th and 13th July 1835.

12th, Neal Boagan, Callington-road.
„ Hugh Robinson, in Miss Jane Gregg's yard.
„ Peter M'Cluskey, Pound-street.
„ Michael Lougan, ditto.
„ Lawrence Coleman, Barrack-street.
12th, John Dunleary, at Mr. Mulholland's mill.
13th, James Deblin, ditto.
„ James Farrell, ditto.
12th, James Raw, Barrack-street.
„ John Raw.
„ Thos. Dunn, at Mr. Mulholland's mill.

Persons heading on the mob at the Pound.

(signed) *William Hughes*, Barrack-street.
Hugh Sloan, Mason-road.

Received the above list of names from Hugh Sloan, when in Sandy-row on Monday the 13th July 1835.

John Agnew, Sovereign of Belfast.

(G.)
Informations taken in the Macken Case.

(G.)

MACKEN CASE.

Copies of the Informations taken in the Macken Case, county of Fermanagh, in 1831, &c. &c.

Copy Informations of *Thomas Thompson* and *George Thompson.*

The King *against* *Patrick M'Manus* and others.

The joint Informations of *Thomas Thompson* and *George Thompson,* both of Derryordun, in the parish of Kinnawly, barony of Knockinny, and *Samuel Crawford* of Kinnawly, parish of Kinnawly, barony of Glenawly, county of Fermanagh, taken before *William Gabbett,* esq. the 20th day of July 1829.

States, That they respectively dined, in company with a number of other Protestants, with Edward Scarlet, a farmer, in his house at Gortdoughy, in said county, since deceased; that during the course of that day the company assembled at Scarlet's; heard a report that there was a large number of persons, variously armed, at or near to a place called Derryline, in said county, and also that Lord Enniskillen and the police had proceeded to disperse them; that about the hour of six o'clock on said evening, it having been reported that Lord Enniskillen had succeeded in persuading said persons so assembled to disperse, these deponents resolved to return home to their respective residences; that a number of the persons who had dined with deponents at said Scarlet's offered to escort them to Macken, which is situate about two miles from Gortdoughy to these deponent's residences; that some other persons joined deponents and friends at Dromaine Bridge, which is distant about a mile or better from Macken, the entire of which consisted of about twenty grown persons and some boys; that about twelve of said grown persons took firelocks with them to guard against any attack that might be made on them; that among the persons who accompanied these deponents to Macken, were Edward Scarlet, with whom these deponents dined, Robert Mailey, George Price, John Glass and William Robinson, none of whom had arms; that upon the arrival of these deponents with the persons who so escorted them at Macken, they observed a great number of persons upon the hills and behind the ditches armed with pikes, pitchforks and spades, and feeling apprehensive that it was the intention of these persons to attack deponents and the persons in their company, the entire party determined to return to Gortdoughy, and had proceeded a quarter of a mile upon their way back when they were attacked by an immense number of persons, armed in the manner aforesaid, who killed Robert Mailey, and desperately stabbed and wounded Edward Scarlet, George Price and James Robinson, who, deponents have heard and believe, have since died from the effects of the wounds they respectively received, and also wounded William Scarlett and William Robinson, John Glass, William Lunnin, Charles Lunnin and Robert Lunnin, who, as these deponents have heard and believe, are desperately wounded and beaten, and whose recovery these deponents have also heard and believe, is doubtful; that deponents were then and there unarmed, and positively say that the persons who were then in company with them and were armed with firelocks did not fire until the other persons so riotously assembled had charged them with the pikes, and pitchforks, &c. when in defence of their lives they were compelled to discharge some shots at the party who so assailed them; deponents further declare, that at the time of their going to Macken aforesaid they had no colours or banners, and were not formed in any procession, and that it was not their intention to make any attack or commit any aggression upon any person or persons whatsoever, but merely to escort these deponents a part of their way home; deponents, George Thompson and Thomas Thompson depose, that they saw a man called Agnis or Ignatius M'Manus, of Carne, armed with a pitchfork, brought to a charge advance in front of said party who attacked them. Deponent, Samuel Crawford, saith, he saw a man of the name of Thomas Rooney, of Drumbinnis, in said county, armed with a pitchfork, which he had also brought to a charge among said party who attacked deponents.

The Informations of *WilliamRobinson,* of Derryinch, taken before *William Gabbett,* esq. the 11th August 1829.

States, That on the 13th of July last he accompanied Robert Mailey, Edward Scarlett, senior, and George Price, all since deceased, and several other persons at Macken, in said county Fermanagh, where this deponent, together with the before-named persons were attacked by a large number of persons then and there riotously and tumultuously assembled, who were armed with pitchforks, pikes, bayonets on poles, clubs and other weapons, with which they assaulted this deponent, knocked him down with stones, and stabbed him while lying on the ground; that among the persons who so attacked and abused this deponent were Patrick M'Manus, Conolly, called and known by the name of Paddy Denis, and Michael Cassidy, a man who works on cots on Lough Erne, both of whom were armed with pitchforks; that deponent from the effects of the wound and beating he then and there received was unable to come forward at an earlier period, and deponent saith, he is of the age of twenty years and upwards.

(G.)
Informations taken in the Macken Case.

The INFORMATIONS of *James Keys*, of Derrymuck, taken before *William Gabbett*, esq. the 18th July 1829.

STATES, That on the 13th day of July instant, deponent was at Macken, in said county of Fermanagh, where he saw a number of persons tumultuously assembled, armed with pitchforks, who attacked this deponent, Robert Mailey, Edward Scarlett, senior, and others; that among the party who so attacked deponent and the persons with him, was a person of the name of Creegan, whose christian name deponent has heard and believes to be Andrew, of Inishmore, in said county; that Robert Mailey was killed at said time and place, and Edward Scarlett, the elder, James Robinson and George Price were also then and there wounded, and who have since died in consequence of the wounds they then and there received.

The INFORMATIONS of *Richard Maguire*, of Macken, taken before *William Gabbett*, esq. 16th July 1829.

STATES, That he resides at Macken, in said county of Fermanagh, and that there are about seven houses close to each other on the hill of Macken; that in the afternoon of Monday the 13th day of July instant, a number of persons, armed with pitchforks and other weapons, came to Macken, where they remained a considerable time; that they appeared to disperse about the hour of six o'clock, and about an hour afterwards a number of Protestants from towards Ballinaleck came to Macken, shortly after which deponent saw a number of the former persons who had dispersed, re-assemble, one of whom, Patrick Cassidy, a servant, then residing in the neighbourhood of Macken, said they were able to face the Bellamone men until their party could gather, whereon Cassidy and his party retired to the hill, waiting for reinforcements; that the Protestants remained at Macken about 15 minutes, when they turned back towards Dromain Bridge; that deponent also saw a great number of persons following them, armed with pitchforks and grapes, and shortly after heard some shots, and saw some persons wounded taken to the deponent's house; that deponent saw among the persons who pursued the Protestants, Michael M'Connell, Owen M'Connell and Patrick O'Neill, all of Macken, armed with pitchforks, Patrick Cassidy, armed with a grape, and also saw among the persons who returned after beating the Protestants, a man called Hugh Cassidy, a journeyman weaver, who was then armed with a firelock.

The INFORMATIONS of *Edward Scarlett*, junior, sworn 4th August 1829.

SAITH, That he swore an information heretofore before William Gabbett, esq. that he saw a man on the 13th day of July last, at Macken, strike this deponent's father, Edward Scarlett, the elder, on the head with a turf spade, whilst his said father was lying on the ground from the effects of a blow given him by a person of the name of M'Manus; and in said information deponent stated the name of the person who struck his father with the turf spade to be Nathaniel Montgomery, but this day on seeing a man called Patrick Montgomery, brother to Nathaniel, deposeth that it was Patrick Montgomery who struck his father, the said Edward Scarlett, senior, and not Nathaniel, as stated in deponent's former information, deponent having mistaken the christian name of one brother for the other.

The DECLARATION of *Edward Scarlett*, senior, of Gortdonoghy, taken the 14th July 1829.

THAT on Monday the 13th day of July, a number of persons, his neighbours and acquaintances, dined with deponent at his dwelling-house at Gortdonoghy, and in the evening between the hours of six and seven o'clock deponent accompanied by a number of said persons went towards Macken; that on the arrival of deponent and his friends at Macken, they observed a number of riotous and disorderly persons assembled, amounting to about 100, armed with pikes, pitchforks, bayonets and poles, firelocks and clubs, upon which deponent and his friends deemed it prudent to return to their several places of residence; that on deponent and the persons with him attempting to return, they were, without any lawful cause or provocation, pursued and attacked by the before-mentioned party, who killed one of the persons with defendant, named Robert Mailey, and deponent was also violently assaulted, beaten, stabbed, cut and abused without any just cause; that deponent saw among the said party who attacked him and his friends Terence Carren, armed with a pitchfork, and Hugh Carren, brother to Terence, both of Macken, armed with a stick or club, Daniel M'Manus, of Denyarn, who was armed with a pitchfork, and Terence Bryan, of Macken.

The INFORMATIONS of *William Scarlett*, of Gortdonoghy, taken before *William Gabbett*, esq. 14th July 1829.

STATES, That on the evening of Monday the 13th of July instant, deponent having dined with a number of Protestants at the house of his father Edward Scarlett, two young men of the name of Thompson (who were part of the company) having to go home to their residence at Derryarron, distant about four miles of Gortdonoghy, and it having been reported that a number of Protestants had been waylaid and beaten on the highway at Macken by a number of riotous and disorderly persons there assembled, a number of deponent's said company, between 20 and 30, including men and boys, of whom about six were armed with guns

(G.)
Informations taken in the Macken Case.

and bayonets, accompanied the said two Thompsons on their way home, for the purpose of affording them protection; that when deponent and party had proceeded as far as Dromain Bridge (about a mile from Gortdonoghy) they were joined by about 15 or 16 other Protestants, of whom five or six were armed with guns and bayonets, upon which deponent and the whole party proceeded to Macken, where upon their arrival they saw a large number of persons armed with clubs, pikes, pitchforks and bayonets on poles, &c. upon which deponent and his party became alarmed from the number of said riotous party, and deponent and party having returned on their way back to Gortdonoghy, when at a short distance from Macken, deponent and his said party were attacked, assaulted and beat, among whom were Robert Mailey, James Robinson and George Price, all of whom have since died, as deponent heard and believes, in consequence of the wounds they received upon that occasion; that a number of others, viz. William Lunnin, Robert Lunnin and Charles Lunnin, John Glass, William Robinson and Edward Scarlett (deponent's father), were also severely beaten, wounded, stabbed and knocked down, some of whom are (as deponent has heard and verily believes) not expected to recover; that deponent received a gun-shot wound in the right hand, and was also then and there battered and bruised on the face and head, and stabbed with pitchforks in various parts of the body and on his left knee; that amongst said riotous party who so attacked, wounded, beat, battered and illtreated this deponent and others of his party at Macken aforesaid, were Terence Carran, of Macken, Hugh M'Manus, Daniel M'Manus, and Ignatius M'Manus, all of whom were armed with pikes, pitchforks, &c. and others whose names are unknown to deponent, but whose persons he would be able to recognize.

The Information of *Edward Scarlett*, junior, taken before *William Gabbett*, esq. at Enniskillen, the 2d August 1829.

States, That he went to Macken on the 13th of July last, when he saw a man whose name is M'Manus, son to Michael M'Manus, of Derryholagh, publican, knock down deponent's father with a log shaft, and while his said father was lying on the ground from the effect of the blow given to him by the said M'Manus, he was also struck on the cheek or side of the head with a turf spade by Nathaniel Montgomery, son to Thomas Montgomery, or Tommyhange, which blow cut him; that there was a number of other persons stabbed his said father with pitchforks or pikes; that deponent's father, Edward Scarlett, is since deceased, as deponent heard and believes, from the effect of the wounds he then and there received.

The Information of *Thomas Cassidy*, of Fort Richard, taken before *Richard Gabbett*, Esq. 3d August 1829.

States, That on Monday the 13th day of July, informant was at Macken, in company with Robert Mailey and Edward Scarlett, senior, since deceased, and a number of other persons all Protestants, who were then and there attacked by a number of persons, amounting to 200 and upwards, armed with pikes, pitchforks and shovels, and other implements, who then and there without any provocation murdered the said Robert Mailey, and wounded the said Edward Scarlett, senior, and several others; and among said persons who so killed and wounded the before-mentioned persons, viz. the said Robert Mailey and Edward Scarlett, senior, and others, were Terence Carren, of Macken, armed with a pitchfork; Patrick M'Manus, son to Michael M'Manus, of Derryhologht, armed with a log; Bernard Rooney, of Inishmore, armed with a pitchfork; Thomas Montgomery, of Artina, armed with a pitchfork; Patrick M'Donogh son to Patrick M'Donogh, of Derra, armed with a large stick; and Francis M'Bryen, of Macken, all in said county of Fermanagh.

The second Informations of *Thomas Cassidy*, sworn the 25th of August 1829.

State, That he was at Macken, in said county of Fermanagh, in the evening of the 13th day of July last, in company with Robert Mailey and Edward Scarlett, both since deceased, and a number of other persons, who went as this deponent heard and believes, to escort two young men of the name of Thompson, a part of their way to their residence near Derryoran Bridge; that said Robert Mailey and said Edward Scarlett, and the other persons who accompanied them having seen a great number of persons at Macken, armed with poles, pitchforks, logs, and scythes on poles; and being apprehensive of being attacked by the persons so assembled at Macken aforesaid, turned back with the intention of proceeding to their respective residences beyond and near to Dromain Bridge, in which direction they had not proceeded far when they were attacked by a number of said armed persons, amounting to 200 and upwards, who murdered said Robert Mailey, by stabbing him with some of the instruments above described, and also knocked down said Edward Scarlett with a log, and inflicted other wounds upon him, from the effects of which the said William Scarlett, as deponent heard and believes, has since died; that deponent was near to said Mailey and Scarlett at the time they were wounded, when he saw a man of the name of Daniel Murphy, of Derryinch, in said county, armed with a weapon which deponent conceived to be part of a scythe, fixed to the end of a pole, with which the said Murphy made a blow at deponent, which deponent evaded, and fled; deponent positively saith, that neither he, this deponent, said Robert Mailey nor Edward Scarlett, had arms of any description, nor did they give any lawful cause or provocation for said attack.

The

(G.)

Informations taken in the Macken Case.

The INFORMATION of *Thomas Cassidy*, of Enniskillen, sworn 1st December 1829.

STATES, He was at Macken, in the county of Fermanagh, on Monday, the 13th day of July last past, when Robert Mailey was murdered, and Edward Scarlett, senior, George Price and James Robinson were wounded by a number of persons then and there riotously and unlawfully assembled, which said Edward Scarlett, senior, George Price and James Robinson have since died from the effects of the wounds they then and there received, as deponent has heard and believes; that the persons who murdered and wounded the aforesaid Robert Mailey, Edward Scarlett, senior, George Price and James Robinson were armed with pikes, pitchforks, logs, turf spades, scythes and spikes fixed on poles; that amongst the persons so assembled and armed, and who committed said murders, was a person armed with a pitckfork, whose name was then unknown to deponent, but who now states himself to be Patrick M'Caffray, of Rossawella, in the said county.

The INFORMATIONS of *Thomas Cassidy*, at present residing at Enniskillen, taken before *William Gabbett*, esq., 20th November 1829.

STATES, That on the 13th day of July last, deponent was at Macken in the county of Fermanagh, where he saw a number of persons armed with pikes, pitchforks, logs, staves, scythes and spikes fixed on poles, riotously and unlawfully assembled, who murdered Robert Mailey, and stabbed and wounded with said weapons Edward Scarlett, senior, George Price and James Robinson, who has since died, as deponent has heard and believes, from the effects of the wounds they then and there received; that among the persons who were so armed as aforesaid, and murdered the said persons, was a man whose name was at the time unknown to deponent, but whose identity he was positively certain of; who was armed with a pike or sharp instrument fixed in the end of a pole; that deponent has heard the said person state before the magistrates that his name is James M'Manus, of Drumbroghas, in said county.

The INFORMATION of *Thomas Cassidy*, of Fortrichard, in the parish of Cleenish, barony of Glerawly, taken before *William Gabbett*, esq., the 6th of August 1829, at Enniskillen.

STATES, That he was at Macken, in the county of Fermanagh, on the 13th day of July last past, where he saw a number of persons armed with pikes, pitchforks, logs and scythes on poles, who then and there murdered Robert Mailey, and wounded Edward Scarlett, the elder, and others; that among the persons so armed, and who committed said murder, and wounded the said persons, was a man armed with a scythe on a pole, whose name is unknown to deponent, but whom he can identify; that from the description of said man, deponent has heard and believes him to be called Daniel Murphy, of Derryinch in said county.

Copy INFORMATIONS of *William Lunnin*, taken before *William Gabbett*, esq., the 16th of July 1829.

STATES, That on the evening of Monday the 13th July instant, a number of persons, among whom were Robert Mailey, of Toneybunnen, Edward Scarlett, senior, of Gortdonoghy, John Glass, of Killywellan, William Lunnin, of Toneyhaig, George Price, of Toneybunnin, James Robinson, of Toneyhaige, this informant and Hugh Lunnin, his father, of Toneyhaige aforesaid, together with a number of other persons, in all amounting to about 50, consisting of grown men and boys, between the hours of six and seven o'clock, proceeded from Dromain Bridge to convey two young men a part of the road towards their residence at Derryoran, as they the said Thompsons apprehended they might be waylaid and beaten on their way home; that on the arrival of informant and the party with him at Macken, they observed a great number of persons in the fields armed with pitchforks and other weapons, and being apprehensive that said persons would attack them, informant and the party with him determined to return back to their houses. when they were pursued by the opposite party, who beat, stabbed and cut them without any lawful cause or provocation being given them by this informant or any of the persons in company with him; that the before named Robert Mailey was killed on said evening, and said George Price and James Robinson have since died in consequence of the wounds they respectively then and there received, as this deponent has heard and verily believes; that deponent saw among said party, who so attacked, pursued, killed and wounded the before mentioned persons, a man of the name of Thomas Montgomery, of Artinagh, in the said county Fermanagh, who was then and there armed with a club, and who was actively pursuing Hugh Lunnin, this deponent's father.

The INFORMATION of *William Lunnin*, of Toneyhaige, in said county, sworn before *William Gabbett*, esq., 10th October 1829.

STATES, That on Monday the 13th day of July last, sometime before sunset, deponent was in company with Robert Mailey, Edward Scarlett, both since deceased, and a number of other persons at Macken, where they went to escort George Thompson and Thomas Thompson on their way to their residence at Derryoran, that some of the persons who escorted the Thompsons had firelocks. Deponent shortly before he reached Macken took a

(G.)
Informations taken in the Macken Case.

firelock from a boy, a cousin of his own, apprehensive that it might be taken from him by some other person; that Robert Mailey, deponent and other persons in their company, seeing a number of persons armed with pitchforks and other instruments, were apprehensive of being attacked and turned back towards Dromain Bridge, where they had come from, that on their return they were attacked by a large number of persons, who pursued them along the road and attacked them with stones, one of which struck deponent on the mouth, when a man of the name of Arthur M'Auley, who was in the rear of the men with pitchforks, rushed at deponent, seized the firelock which deponent had in his hand, and endeavoured to wrest it from him; that while the said Arthur M'Auley was so doing, four or five other persons armed with pitchforks, stabbed deponent in different parts of the body, which so disabled deponent, that the said Authur M'Auley succeeded in feloniously taking from deponent the firelock, which was of the value of 10*s.* sterling, and the property of Robert Cluff, of Tuncrealow, in said county; that from the effects of the stabs and wounds he received he was confined to his bed for nine weeks; deponent also heard and believes that Robert Mailey, Edward Scarlett, George Price and James Robinson died in consequence of wounds they received on the aforesaid 13th day of July, by the party, some of whom wounded deponent; deponent further swears, that he did not discharge the firelock which he had on that day, nor do any act whatsoever to justify the treatment he received from said party.

The Information of *William Nixon*, of Carneyhill, taken before *William Gabbett*, esq., 6th November 1829.

States, That on the evening of Monday, the 13th day of July last past, he accompanied Robert Mailey, lately deceased, and a number of other persons to Macken, in said county, where, about the hour of seven o'clock, this deponent and the persons with him as aforesaid were attacked by a large number of persons then and there tumultuously and unlawfully assembled, armed with pikes, pitchforks, firelocks, bayonets on poles, grapes, turf spades, and other implements, who, without any provocation given to them, murdered Robert Mailey, and also wounded George Price and others of deponent's company, some of whom have since died from the effects of the wounds they then and there received; and saith that he, this deponent was also then and there wounded in the mouth by a stone thrown by one of said persons; that amongst said persons who were so tumultuously and unlawfully assembled as aforesaid, was a person called James M'Brien, of Macken aforesaid, who deponent saw, together with several others of said party, throw a stone at deponent's party, which stone deponent verily believes was the one which struck and wounded him in the mouth as above mentioned; deponent also saw a man, who was then unknown to him, but who now states himself to be John Droogan, of Drumhack in said county, amongst said party who murdered Robert Mailey as aforesaid, which said John Droogan was then and there armed with a sharp instrument affixed to the end of a long pole, with which he pursued deponent, with the intent, as this deponent verily believes, to take deponent's life; and deponent further saith, that he this deponent had no arms of any description at said time and place, nor any weapon, except a common walking stick, nor did deponent or the persons with him go to Macken on said evening for the purpose of attacking any person or persons; but merely went to escort two young men of the name of Thompson on their way home, and were on their return home, when attacked in manner aforesaid.

The Information of *John Robinson*, of Toneyhaige, taken before *William Gabbett*, esq., 22d December 1829.

States, That on the 13th day of July last he was at Macken, in said county, in company with Robert Mailey, George Price, Edward Scarlett, senior, and James Robinson, with a number of other persons, who had proceeded so far for the purpose of escorting two young men of the name of Thompson to their residence at Derryoren, in said county, when informant with said other persons were attacked by a number of other persons then and there riotously and unlawfully assembled, who were armed with guns, pikes, pitchforks, logs, grapes, turf spades, scythes fixed on poles, or sticks and clubs, which riotous persons then and there murdered Robert Mailey, and wounded a number of other persons then in company with informant, of which persons so wounded were Edward Scarlett, senior, George Price and James Robinson, who have since died from the effects of the wounds they then and there received; that among said persons who were so riotously assembled, and some of whom killed and wounded the aforesaid Robert Mailey, Edward Scarlett, senior, George Price, and James Robinson, was a man armed with a pitchfork, whose name was at that time unknown to informant, but of whose identity this informant is positive, and who now declares his name to be Terence M'Hugh, who appeared to be very active aiding and assisting said persons who committed said murder and wounded the before-named persons; that informant saw said Terence M'Hugh make stabs with a pitchfork at Charles Lunny, of Crockareddy, in said county, who was one of the persons in company with informant on said day; that informant has since seen said Lunny, who has the appearance of having been desperately and severely wounded with stabs and cuts on the head and body; informant is positive he would be able to identify a number of other persons who were of said riotous party on said day, but whose names are unknown to informant.

The

(G.)
Informations taken in the Macken Case.

The INFORMATION of *Ann Irvine*, sworn 25th July 1829.

STATES, That she lives with he mother near the church of Derryvoland, of which her mother is sextoness; that being acquainted with the family of one Patrick Bryan, who lives near to Gortdonoghy, the residence of Edward Scarlett, lately deceased; she went to spend the day of the 13th July instant at the house of said Patrick Bryan, with his daughter Catherine; that between the hours of five and six o'clock in the afternoon of said day she saw a number of persons passing in the direction from the said Edward Scarlett's house towards Dromain Bridge, being the road to Macken; that among the said persons were Robert Mailey, now deceased, Robert M'Bryan, son to Patrick M'Bryan aforesaid, William Worthington, of Killyvillan, and two young men of the name of Thompson, who reside near to Derryoran Bridge, none of whom had arms with them, except Robert M'Bryan, who had a gun; deponent and a young woman of the name of Ann Carmichael went in about ten minutes after she saw the above party to return back with them; that upon the arrival of deponent and some other persons who had joined her on the road at Macken she saw Robert Mailey and the other persons who accompanied him there; also deponent saw immediately after her arrival a man whose name she heard and believes is Francis M'Bryan going from Mailey and his party across the fields towards a number of men armed and assembled upon the summit of an adjoining hill; that after the said Francis M'Bryan had proceeded about 70 yards in the direction towards the persons on the hill, and took off his hat and waved it two or three times in the air over his head, and at the same time shouting as if giving a call, upon which the said persons on the hill immediately made a movement towards a part of the road on which Mailey and those with him must pass on their return to Gortdonaghy; that the Protestants moved at the same time from Macken towards home, the persons on the hill were moving rapidly after them across the fields and along the road from Macken, upon which the Protestants halted on the road, and faced about, when the other party arrived close to the Protestants, Robert Mailey went towards them and begged for God's sake to have peace, upon which one of the party to whom he was addressing himself stabbed him in the body with a pike, and at same time the remainder of the persons belonging to the party of the man who stabbed Mailey, rushed down upon the Protestants, armed with various weapons, consisting of pikes, pitchforks, scythes and turf spades, and a variety of other weapons, when the Protestants in their own defence fired some shots at them; deponent then ran away along the road about 46 yards distance, when she looked back and saw the Roman Catholic party running down the hill along the road in great numbers attacking the Protestants; deponent then returned towards Macken, where the parties were fighting, when she saw a man armed with a pike of the name of James Smith, son to James Smith, of Bracagh, near Derryvoland, farmer, who was with the party who were attacking the Protestants; she also saw amongst the party (one of whom stabbed Robert Mailey) one Hugh M'Donald, servant to Patrick Droogan, a farmer, near to Cloughcon, with a pitchfork; believes the usual place of residence of said James Smith and Hugh M'Donald is near to the residence of deponent at Derryvoland, eight or nine miles from Macken; saith, that Robert Mailey had not arms of any description on that day, nor were either of the two persons of the name of Thompson, who reside near Derryoran Bridge, armed; thinks she saw with the Protestants, who halted on the road when Mailey was stabbed, about seven stand of fire-arms, there might be a few more; deponent also thinks the Protestants consisted of between 20 or 30 grown men, the remainder of the persons with them consisted of boys and women.

The INFORMATION of *Thomas Armstrong*, sworn 13th July 1829.

STATES, That he was at Macken on the 13th day of July, when a number of persons armed with scythes, pitchforks, bayonets on poles, pikes and turf spades, attacked a number of Protestants, who were in company with deponent, and killed Robert Mailey, and wounded George Price, James Robinson and Edward Scarlett, all of whom have since died from the effects of the wounds they then and there received; that amongst the persons who attacked, killed and wounded the before-named deceased persons were James Droogan, of Drumbraughas, and Francis M'Caffrey, of Rossavilla.

The INFORMATION of *William Nixon*, of Derryinch, taken the 18th July 1829.

STATES, That on the evening of Monday the 13th day of July, deponent and a number of other persons, Protestants, were assaulted and attacked at a place called Macken, by a number of persons then and there riotously and unlawfully assembled, who were armed with pikes, pitchforks, bayonets fixed on poles, scythes, grapes, turf spades and clubs, who then and there killed a man named Robert Mailey, and wounded George Price, James Robinson and Edward Scarlett, who have since died of the wounds they then and there received, and also wounded John Glass, William Robinson, William Scarlett, William Lunnin, Robert Lunnin and other persons, without any provocation being given by said persons; and that deponent saw at same time among the persons who killed and wounded said persons Patrick Carron, who was armed with a pitchfork, and Patrick M'Caffrey were actively engaged, armed as aforesaid.

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Informations taken in the Macken Case.

The INFORMATION of *Elizabeth Carmichael*, of Ballavilick, taken 4th August 1829.

STATES, That she was at Macken on the evening of the 13th of July last, when and where Robert Mailey was murdered; that she saw among the persons who murdered him Terence Carren, of Macken, armed with a pitchfork, with a handle of about eight feet in length, and the spikes very long and close together, and Patrick Montgomery, son to Thomas Montgomery, of Toneyhaigh; that said Terence Carren and Patrick Montgomery were pursuing the Protestants after Mailey was killed.

The INFORMATION of *John Glass*, of Killivillan, taken the 14th July 1829.

STATES, That on the evening of Monday the 13th of July instant, informant having dined with a number of Protestants at Gortdonoghy, in said county, two young men of the name of Thompson, who were part of the company, having to go home to Derryoran, about four miles from Gortdonoghy, and it having been reported that a number of Protestants had been waylaid and beaten on the road to Macken by a number of persons there riotously and tumultuously assembled, a number of informant's party, amounting to about twenty men and ten boys, of whom about six were armed with guns and bayonets, accompanied the said two Thompsons on their way home for the purpose of protecting them; that on the arrival of informant and party at a place called Macken, which is nearly half-way between Gortdonoghy and Derryoran, being then about six o'clock in the afternoon, informant observed about 100 men variously armed with pikes, pitchforks, bayonets on poles, firelocks and clubs; upon which informant's party deemed it safe to return, and not to proceed further; accordingly informant and party returned, when said riotous party pursued informant and those with him, and in a furious and violent manner attacked deponent and party, a number of whom were desperately wounded and beaten, and among others a man of the name of Robert Mailey, of Tanylunnin, whom deponent saw carrying away on a mare's back, and who, informant has heard, is since dead in consequence of the wounds he then and there received; that informant was then and there also violently stabbed with a pitchfork by one Daniel M'Manus of Derrywarra, in said county, who was one of said riotous party; saith that a man of the name of M'Auley, whose christian name informant does not now recollect, the second son of Pat M'Auley, of Friesteen; also another man of the name of M'Manus, whose christian name informant does not know, both of whom were aiding and assisting said riotous party, and who as aforesaid attacked, wounded and beat informant and the party who was so with him.

COPY Report of *Edward Tierney*, Esq., Crown Solicitor, North-Western Circuit, to Colonel Sir *William Gosset*.

Sir, 15, Fitzwilliam-street, 7th August 1834.

I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, and to submit the following report of the circumstances connected with the affray at Macken, in the county Fermanagh, on Monday the 13th July 1829.

It appears, that on that day a party of Orangemen assembled at the house of a person named Edward Scarlett, to commemorate the anniversary of the battle of the Boyne by dining together; the 12th being Sunday, the meeting was held on the 13th July, and it appears that shortly after dinner a report reached Scarlett's house, where the party had dined, "that a number of Protestants had been waylaid and beaten on the highway at Macken by a number of riotous and disorderly persons there assembled." It does not appear whether this report was well founded or not. Some of the Orangemen having to go through that village on their return home, it was agreed that the entire of the party should escort those persons part of the way with a view to their protection, and accordingly they left Scarlett's house at an early hour in the evening, and in a body proceeded towards Macken; the number comprising this party was sworn to amount to between 20 and 30, including boys; several women were also of the party; it was stated that about six of this party were armed with guns and bayonets. When the party had proceeded as far as Dromain bridge, which lies between Scarlett's house and Macken, they were joined by a second party of Orangemen, consisting of about 16, who had dined at another house, and who it is supposed were on their way home, and of whom it was stated that five or six were armed with guns and bayonets. The whole party then proceeded to Macken, where a number of persons of the Roman Catholic party had collected, armed in various ways, viz., with clubs, pikes, pitchforks, bayonets affixed to long poles, &c. It was stated that the party of Orangemen became intimidated from the great apparent disparity of numbers between them and the Roman Catholic party, and therefore deemed it prudent to return. Scarlett (at whose house the party of Orangemen had dined, and who accompanied them to Macken under the impression that his influence with the Roman Catholics was such as to ensure protection to the Orangemen), and a person named Robert Mailey, were selected by the Orangemen to hold a parley with the opposite party, and to assure them that they had no hostile feeling or intention towards the Roman Catholics, that some of the party were on their way to their homes, and the others accompanying them as friends to see them safe home.

A man named Francis M'Bryan came forward from the Roman Catholic party (a great part of which was collected on a hill near Macken) apparently for the purpose of communicating

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nicating with Scarlett and Mailey. While those three persons, namely, Scarlett, Mailey and McBryan were speaking together, McBryan waved his hat; the Roman Catholic party thereon immediately rushed down in a body and attacked the Orangemen; the consequences were, that four of the Orangemen were killed and several severely wounded; amongst the former were Scarlett and Mailey; the other two were James Robinson and George Price.

At the ensuing summer assizes for Fermanagh, bills of indictment for the murders of those persons were prepared and found by the grand jury against all those identified as of the Roman Catholic party, and amongst others against Daniel McManus, before named, for the murders of Robert Mailey and of Edward Scarlett, and bills were also found against him, McManus, for stabbing a person named John Glass, who has since recovered from the wound alleged to have been inflicted by McManus. At that assizes an application was made on behalf of the persons in custody charged with the murders to postpone the trials until the then next assizes, grounded principally on the state of excitement then existing, and produced by this affray. The application after a long debate was complied with by the court (Mr. Baron Pennefather was the judge), but the parties were detained in custody.

At the spring assizes 1830 the trials were proceeded with before Mr. Justice Jebb, the judge who presided in the Crown court. The first trial was that of Ignatius McManus, *alias* Story, and Francis McBryan (the person before named and stated to have waved his hat), and after a very long trial Ignatius McManus was convicted of the murder; Francis McBryen was acquitted. It did not appear that he took any active part in the affray save the waving his hat to the mob, as before stated, and it became a question for the consideration of the jury whether the waving the hat was with a view, as he, McBryen, alleged, of keeping the mob back, or with a view of inducing them to advance and attack the Orangemen. The jury gave the benefit of any doubt that arose with regard to this fact to the prisoner, McBryen, and acquitted him. Ignatius McManus, who was found guilty, was executed for the murder.

On the trial, it appeared from the evidence on the part of the prosecution that the Roman Catholic parties had assembled in large bodies in various directions from an early hour in the morning, and that they concentrated in the evening at Macken, where the murders took place. On the part of the prisoners it was attempted to be proved that the Orangemen were the first aggressors by firing two shots at and before the Roman Catholic party had committed any act of violence.

Patrick McManus, Thomas Montgomery and Patrick Montgomery were afterwards tried, and were also convicted of the murder. The assizes were subsequently adjourned until after the Londonderry assizes; the sentence of death passed on Patrick McManus and the Montgomerys was respited until the remaining trials should take place.

The court met pursuant to the adjournment the first week in April 1830; both judges, Mr. Justice Jebb and Mr. Justice Vandeleur, sat in the Crown court, and the trial of Hugh Carren, charged with these murders, was proceeded with, and he was also convicted. After this trial all the other persons then in custody charged with those murders applied to the court for permission to withdraw their pleas of not guilty and to plead guilty to the indictments for murder, and throw themselves on the mercy of the Crown and the Government. Sentences of death were passed on all these persons; they were afterwards respited, and transported for life, together with Patrick McManus, Thomas and Patrick Montgomery and Hugh Carren; twenty persons altogether. It appeared on the different trials that the juries had to decide whether the crime amounted to murder or manslaughter; it was manifest the Roman Catholic party were the aggressors. In the defence it was attempted to be proved that the first aggression (as before stated) was on the part of the Orangemen, but the attempt failed. Reports of all those trials and proceedings were forwarded to the Government at the time.

Bills of indictment were preferred and found at the suit of the Roman Catholic party against some of the Orangemen, viz., against Thomas Armstrong, John Glass and 11 others for riot and assault on the same day, but the judges, having judicial knowledge of the entire transaction from what appeared before them on the trials that took place, did not think it right to try a case of riot as connected with those transactions. Verdicts of murder having been found against the parties seeking to charge the others with riot.

There was also a bill of indictment found on the prosecution of William Rooney one of the Roman Catholic party (who was not charged with the murders) against two of the Protestants, namely, John Glass and Thomas Armstrong for shooting at him; those persons were tried and acquitted.

There were other bills of indictment preferred against William Lunny and five others of the Protestants for shooting at some of the Catholic party, but they were ignored by the grand jury.

I have thus given a detailed short account of the circumstances attending the Macken affair as taken by me from a mass of evidence. With reference to Daniel M'Manus, I beg to state that he was not amenable at the time the others were tried, or at any time to my knowledge until the last month of July; his name appears in the indictments for murder and for wounding John Glass; it does not appear that he was arrested on any warrant or process issued on the indictments.

I believe he was arrested on a warrant on an information lately sworn against him, and without consulting me, or I believe any officer of the Crown, or any person connected with the Government. If any application had been made to me, I should not have had any proceedings taken to revive the Macken affair, without apprising the Government and having directions on the subject, because it was my feeling that enough had already been done to satisfy

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satisfy public justice, and that the revival of this unfortunate affair might lead to consequences injurious to the peace of the country,

I do not know whether or not Daniel M'Manus remained in the country since 1829; he is I believe an old man near 70 years of age; there was certainly evidence of five different persons charging him with being one of the party, and that he was armed with a pitchfork, and there was evidence of his having stabbed a person named John Glass, for which (as well as for the murders) he was indicted.

When I was first apprised (by inspection of the gaol calendar a very few days before the late assizes of Enniskillen) that M'Manus was in custody, I thought of having his trial postponed until the next assizes, and in the mean time to state the circumstances to the Government and request instructions on the subject, but having read an account in the Dublin Evening Mail newspaper of the 14th of July, of some circumstances said to have occurred on the arrest of this man, I immediately wrote to the Attorney General (who was not in office when the trial respecting the Macken affair took place) giving him a very brief account of the transactions, and stating that I did not consider it prudent to revive them. I had a letter from the Attorney General in reply, who said, the Lord Lieutenant was pleased to concur in my view and suggestion.

An application was made at the late assizes of Enniskillen, on the part of Daniel M'Manus to postpone his trial, which was complied with by the court, which application was not opposed by me. I understand that on a subsequent application to the court he was admitted to bail to appear at the next assizes; I believe some persons connected with the parties (the Orangemen) were anxious to force on the trial at the last assizes, even in opposition to the wishes of the Government.

There is very little doubt if Daniel M'Manus had been in custody and put on trial in 1830, and convicted, or had pleaded guilty with the others that have been transported, that his sentence would also have been commuted to transportation, and it is now to be considered whether under all the circumstances of this case, and in the present (I am happy to say) quiet and peaceable state of the county of Fermanagh, it would be well to risk the peace of the country by the revival of transactions which at the time caused great excitement and irritation.

I think it my duty to notice in this report two memorials which were addressed to his Excellency the Lord Lieutenant and which appear to have been submitted to the Attorney General, and which were transmitted to me during the assizes of Enniskillen; one is from Michael Kerrin, who I understand is the brother of Hugh Carren or Kerrin, who was tried and convicted of the murders, the other is from Mr. Kernan who was one of the counsel for the Roman Catholic party on the trials, and I do not think that the circumstances of the case as they appeared to me warrant the charges made in those memorials which I have returned.

I have the honour to be, &c.

Colonel Sir William Gosset, &c. &c. &c.

(signed) *Edward Tierney.*

(H.)

Copies of the Minutes of Evidence taken in the Mullagh Case, County of Cavan, in 1831, &c.

(H.)
Minutes of Evidence taken in the Mullagh Case.

Mullogh Cause.

The King *against* Michael Farrelly and others.

Examination of Witnesses at *Cavan*, 12th March 1831.

Richard Guthrie, sub-constable:—Recollects the 28th January, the last fair day of Mullogh, was attracted by a cry of murder, and proceeded immediately to the spot, and saw the accused beating a person whose name is Henry M'Phillips. Sustains his informations, and has not any thing further to add. Identifies Michael Farrelly and Daly.

Thomas Cowan, sub-constable:—Supports his information.

John Malcolm, sub-constable:—Was at the fair of Mullogh the day in question; Guthrie and Thomas Cowan brought down two prisoners to the police barrack, where witness was stationed; having heard a tumult in the street, looked out of the window, when he saw the police attacked as in his informations stated. Can identify Patrick Farrelly.

Noble Davis, sub-constable:—If necessary will also prove the assault upon the police.

Henry M'Phillips, on whom the attack was made will not support his information; he states he cannot identify.

Mullogh Cross Case.

The King *against* Christopher Henderson and others.

Examination of Witnesses at *Cavan*.

Thomas Sheridan, was at the fair of Mullogh on the 28th January last, went into the house of a person named Smith in the town, in company with a person named Joseph Sheridan. Smith keeps a public-house, and witness took one glass of spirits, did not take any before that during the day. Joseph Sheridan did not appear to be drunk either; just as

as they were coming out of the house the police were passing by conveying two prisoners down the street; did not leave Smith's house in consequence of seeing the police coming down; had not a stick, nor had any others of the party in company with witness. States that immediately after quitting Smith's house, one of the police without having received any provocation whatever from Joseph Smith, or from any other person, struck Joseph with a stick, which knocked off his hat, that policeman passed on and two or three more of them struck at Joseph Smith; the second man of the police that struck at Joseph had a stick also; the others he saw making offers to strike him with the but end of their guns. One of them made an offer with the point of the gun, the bayonet was not fixed; one of the police as soon as Joseph Smith's hat was knocked off struck his bayonet through the hat while it was on the ground; did not remark Mr. Raymond at that time. Witness states, that the man who first struck Joseph Smith passed on from him, and when he came up to where witness was, about three or four yards distant, he struck witness twice with the stick; witness perseveres in saying that up to this time there was no provocation whatever given to the police. Witness then made his escape from them and went to Mr. Raymond to lodge a complaint against his men, Raymond turned round and said, "By his G–d he would leave his head beside him on the street for a brass pin," and immediately struck him with his naked sword on the back; there was no rioting or shouting or any attempt made to molest or obstruct Mr. Raymond, or any of the police up to this time; another of the police struck him at the same time with a stick, was not knocked down nor cut, but his hat was knocked off. Raymond ordered him to be taken prisoner, cannot assign any cause but that of his having made the complaint to him; when witness was a prisoner, he begged of them not to strike him but to let him go on quietly as he was inclined to do, notwithstanding they "roughly handled him along." One of the police when witness entered the barrack had him by the shoulder when he was going up stairs, and others behind him prodding him along with their guns as witness believes; when in the room above stairs some of them struck him again with their guns, they then threw him on the ground and some of them kicked him; cannot say how long they continued kicking him, he was then handcuffed and kept in the police-house until about seven o'clock; did not see Mr. Raymond strike any one else; Mr. Devoge interfered, and in consequence of which witness was discharged; was not cut or marked from the effects of the beating.

John Farrelly was at the fair of Mullogh, standing before Joseph Smith's door just as the police came up, the two Sheridans were coming out of Smith's house. One of the police, without any provocation, struck Joseph Sheridan two blows, thinks he struck him oftener but will not swear to more than two; cannot say that the hat was knocked off, the same policeman then struck Thomas Sheridan; no provocation. Heard James Sheridan make use of the words mentioned in witness' information, the same policeman then struck him; heard Thomas Sheridan speak to Mr. Raymond, but cannot tell what he was saying; saw Mr. Raymond immediately draw his sword and make a race at Thomas Sheridan, and strike him on the shoulder with it; thinks it was with the flat part of the sword he struck him, did not see any other person strike Thomas Sheridan after Mr. Raymond struck him; they then dragged him off a prisoner to the police barrack.

Michael Brien, was standing near Smith's house when he saw the police advancing, conveying a prisoner of the name of Michael Farrelly. Thomas Sheridan was standing at the door of some house at the time, cannot say what house that was, nor can he say which of them was struck first; witness saw James Sheridan also struck by one of the police with a stick; Thomas Sheridan went forward to Mr. Raymond, Raymond immediately drew his sword and followed Sheridan, whom he struck with it, cannot say whether it was with the edge or flat part of the sword; Raymond ordered the police to take him prisoner, but did not see any one strike him after Mr. Raymond had done so; up to this time did not see any person strike the police, nor was there any disposition to riot shown by the people; cannot say that Henderson struck Thomas Sheridan; after Thomas Sheridan was taken prisoner he was taken off to the police barrack, but witness did not see any violence used towards him in doing so.

James Kiernan, was at the fair of Mullogh on the 28th January last, about half-past three o'clock in the day, he saw eight of the police marched from their barracks towards the upper end of the town, and had got about eight perches, when they met a man of the name of Collins; that on the said Collins passing the police and on his getting to the third last man (who was Christopher Henderson), he Collins was struck by the said Henderson a violent blow on the head by the but end of his carbine, which knocked him down; the said Henderson gave Collins a second blow with his carbine, which left the said Collins (in examinant's opinion) quite senseless; Collins was obliged to be carried away by some persons who came up, and then Henderson joined his party.

John Gilshman, can corroborate the last witness, as he was with him during the time above-mentioned.

Copy EXAMINATIONS taken at an Investigation relative to the Riot at Mullogh, before *Atkinson Caffray* and *Bartholomew Warburton*, Esqrs., 14th day of February 1831.

Sub-constable *George Ebbett*, being examined, states, That he was in the fair near the barracks, when he met three of his comrades, who told him they were going to bring down a man who was waylaid and beaten, and for him to go with them; when they got opposite the house where the beaten man was, a vast number of persons commenced throwing stones at him and party without giving any notice whatever of their intention. Informant got two

(H.)
Minutes of Evidence taken in the Mullogh Case.

blows of stones, when informant and party retreated as fast as they could to the barracks. Does not know any of the persons by name; but thinks he would know one of them if he should see him. On getting to the barracks, he met Mr. Raymond, the chief constable, and the rest of the men, the mob still pursuing them, cheering and throwing stones; heard some shots fired by the police; heard that one man of the name of Lawless was wounded; heard that another received a bayonet wound, but does not know his name.

Noble Davis, sub-constable, being examined, states, That he was one of the men sent by his officer to protect the man that was beaten, and called on examinant, George Ebbett, to accompany him and party, and fully corroborates every thing stated by Ebbett, except that he did not see him struck with the stones; and saith further, that when they were retreating to the barracks, one of the mob came alongside one of his comrades, Alexander Hamilton, and that he made a box and kick at him, trying to knock him down, on which informant made a blow of his bayonet at him, which he believes wounded him; does not know any of the party who attacked them, but thinks he would know two of them if he should see them again.

Sub-constable *Alexander Hamilton*, being examined, states, That he was one of the men sent by his officer to protect the men that were beaten, and corroborates the first informant in every respect, except that he did not see him struck with the stones; and further saith, when he was returning to the barracks, a man of said mob made a box and kick at him, and was nearly thrown down, but recovered himself; does not know any of the persons who attacked the police on that day,

Sub-constable *William Dewart*, being examined, fully corroborates the examinations in every respect, except that he did not see the stone hit the first informant; and further for himself saith, that he received a blow of a stone; does not know any of them, they being all strangers.

Chief-constable *Thomas Lile Raymond*, being examined, states, That he and his party were on duty in the town of Mullogh, between the hours of four and five o'clock in the evening of the 28th January 1831; that having heard that a man was waylaid and severely beaten at the end of the town, and two men having been brought to the police barracks charged with said offence, and having been applied to by some friends of the beaten man for protection, it being reported that he would be again attacked and murdered, he ordered a party of his men to go and bring the beaten man to the barracks until he could be conveyed with safety to his home, Informant remained with the rest of his men in the barracks, and the party were a very short time gone, when one of the police, of the name of Henderson, called out, "Our men are murdering up there;" on which informant immediately ordered the remainder of his men to "turn out," and met the men before mentioned running back, and an immense mob following them, pelting them with stones; on which informant immediately ordered his men to load, and repeatedly cautioned the mob to disperse, and not throw any more stones; but they still persisting, and endeavouring to surround his barracks, and in all probability rescue his prisoners, and gaining ground on him, he ordered a certain portion of his men to fire, and to take good aim, and if possible only to hit a leader or some of them in the very act of throwing stones, when five or six shots were fired. Informant further saith, on oath, that he conceived his own life and the lives of his party at the moment were in the greatest possible danger, and only saved by his ordering his men to fire; and was further impressed with the danger of his and party's situation in consequence of a report made to him by Sub-constable Christopher Henderson, who stated, several days before the fair, that he was told that a man would be beaten on that day, and that if the police would interfere and prevent the people, that they would assemble a party outside the town and attack the police. Informant further saith, that he believes some persons were wounded by the police when they fired, and is quite confident only for doing so they would have been disarmed and many of their lives lost; as soon as the police fired, many of the mob got into the gateway and continued to pelt stones, when he ordered his men to dislodge them at the point of the bayonet, not wishing to fire more than was absolutely necessary to preserve his life, and the lives of the party under his care. Informant further saith, that when the mob dispersed, he heard it was only to collect their numbers and to arm themselves, in consequence of which he sent off to the nearest police station to require their assistance. And informant saith, that he believes if it was not that the district police were coming to his assistance, as he has heard and believes, several hundred persons had assembled in the country, and armed, determined to attack him and his police; and also that he was informed two priests had to go on their knees to the mob, who had collected armed, before they could get them to turn back.

Sub-constable *William Hall*, being examined, states, That he was in the barracks, handcuffing men who had been brought into the barracks charged with waylaying and beating a man; but on hearing the men call out, he ran to the door of the barracks, when he saw two or three of the police running towards the barracks, and an immense mob after them, pelting stones at them. Informant then fell in with the rest of his party; heard his officer repeatedly call to the mob not to throw stones, or he would not be answerable for the consequences; but the mob still persisted, and closing the police, his officer ordered some of the men to fire, and to take care, if possible, not to hit any persons but such as were throwing stones; heard five or six shots fired by the police; heard and believes some persons were wounded; heard that a man of the name of Lawless was wounded; did not know him before, but believes he would know him if he should see him again, as he perceived a man answering his description very busy throwing stones out of an archway. Informant ran to an archway, and perceived several men running round to surround the police barracks,

racks, one of whom received a bayonet wound. Informant does not know his name; but believes he would know him if he saw him.

Sub-constable *Thomas Blakely*, being examined, states, That he was in the barracks securing some prisoners, when he heard an attack was made on the police; he hurried out, and when he got to the door stopped to load his musket; heard some shots fired; after the firing had ceased, he saw several stones thrown, some of which dropped near where he was standing; heard that a man of the name of Lawless was wounded; heard that after nightfall the mob were re-assembling for the purpose of attacking the police; heard several shots fired by the mob, some so near that he saw the flash of the pan, and at each shot a cheer from the mob.

Sub-constable *William Hall*, being examined, corroborates Blakely as to the shots having been fired, and also Thomas Lile Raymond, who heard himself several shots.

The Informations of *Henry M'Phillips*, of Virginia, taken before *Bartholomew Warburton*, *Atkinson Caffray* and *Robert Serjeant*, esqrs. 15th Febuary 1831.

States, That he was in the last fair of Mullogh, when two men of the names of Farrelly and Daly came up to him, and asked him what brought him there, when he replied that "he had been attending fairs and markets all his life, and never was asked that question before; but as you wish to know, I came to buy a pig;" they then asked him some other questions which he does not recollect. Saith, he got frightened when they began to question him. At that moment, a tall young man, who he did not know, came up and said, "don't touch that man, and have no call to him, for he is, and looks to be an honest man," at the same time beckoned with his hand to him to go away, which he did, but had not got nine perches when he looked round and perceived said Farrelly and Daly following him, and the moment they came up they struck at him without saying a word, and knocked him down, and gave him a most unmerciful beating; informant cried out murder while they were beating him; two policemen came up to his assistance, and he verily believes if it was not for the police they would have murdered him; saith, as soon as the police took Farrelly and Daly away, a man, who he heard was called Patrick O'Brien came up, and without saying a word, knocked him down, and then ran off; cannot say who told him it was Pat O'Brien, but it was said he was the son of the widow near Mullogh; saith, that a man of the name of Patrick Farrelly took hold of said O'Brien; and saith, he believes were it not for said Farrelly, said person would have beaten him severely; saith, he also heard said O'Brien was a man of Mr. Mortimer's.

The Informations of *Richard Guthrie*, sub-constable, sworn before *Bartholomew Warburton*, esq. 15th February 1831.

States, That he went in company with Thomas Cowan, sub-constable, in the fair of Mullogh, when he heard a cry of murder, and immediately proceeded to the place, and saw two men beating another who was lying under them; saith, that as soon as they saw the police they threw away their sticks, and informant and his comrade succeeded in taking them, and were conveying them prisoners to the barracks when they were surrounded by an immense mob, most of whom were armed with sticks, and some of them cried out, "Trip them; rise them." Informant thinks they meant to throw them down and rescue the prisoners; upon which informant drew his bayonet, and desired them to stand off, and if they did not, to mark the consequence; saith, that when he got about three or four doors from the barracks he met three of the police who assisted to bring the prisoners; saith, he succeeded in lodging the prisoners in the barrack, whose names are Farrelly and Daly.

The Informations of *John Malcolm*, sub-constable of Police, sworn before *Bartholomew Warburton*, esq., 15th February 1831.

States, That he was on duty in the town of Mullogh on the last fair day, being the 28th January; saith, he was in the barracks taking the charge of prisoners; that hearing a noise and shouts in the street, he went to the window, and on looking out, saw a party of the police running down the street towards the barracks, followed by a great mob, who were throwing stones at them and shouting; saith, he did not know any of said persons by name, but saw a man take up a large stone and throw it with violence after the police, and then ran into a house near the barracks; informant has since seen said man, who calls himself Patrick Farrelly, of Rose Hill, in the county of Cavan, and who he fully identifies being the man who so threw said stone; saith, he would know another man, who was very very active in throwing stones said day, if he should see him.

The Informations of *Thomas Cowan*, sub-constable of Police, taken before *Bartholomew Warburton*, *Atkinson Caffray*, and *Robert Serjeant*, esqrs., 15th February 1831.

States, That he was on duty in the fair of Mullogh on the 28th January last; that having walked a few perches in company with Richard Guthrie, another constable from the police barracks, they heard a voice crying murder, and heard the strokes of sticks, when they ran to the place, and saw two men beating a man who was lying down under them,

(H.)
Minutes of Evidence taken in the Mullogh Case.

and both striking him in a most savage manner; saith, he immediately proceeded to make said persons prisoners, who, as soon as they saw the police, threw away their sticks; saith, that having succeeded in taking said persons into custody, they were given up to the police in the barracks; saith, that in bringing said persons to the barracks they were surrounded by an immense mob; several cried out, "Rise them;" he supposes they meant to trip and throw informant down; upon which, he drew his bayonet, and desired them to keep back, as he was determined not to give up his prisoner; saith, that as soon as he lodged his prisoner, he returned to meet his comrade, who, he was afraid, from the violence of the mob, that some bodily injury would be done to the policeman and the prisoner rescued.

The Information of *John Parsons*, sub-constable Meath Police, sworn before *Bartholomew Warburton*, esq. 12th February 1831.

States, That on the evening of Friday the 28th January 1831, he was told by some country people returning from the fair of Mullogh, that a man was shot in the town of Mullogh by some of the police, and that the country people were going to collect, and that Muff would never be equal to it; in about half an hour after he observed a number of persons running across towards Mullogh, in parties of four and five, but at such a distance, and in consequence of the dusk of the evening, he could not observe whether they were armed or not; a short time after a farmer, of the name of Smith, called at the barracks, and told informant that he met a number of persons going into the town of Mullogh, and that he used his utmost exertions to get them to turn back, and that he succeeded in getting some of them to do so, and also told him, that on reaching home his wife told him that some persons called at his (Smith's) house for arms, when she said they had not any, when they lighted a candle and searched the house for them, but did not get any; he also mentioned that Andrew Collins was one of the men who called for the arms first, but that on his wife's refusing, another man —— Donegan, came into his (Smith's) house, and lighted a candle, and searched for said arms; on Saturday, the day following, informant was proceeded on duty to Kells, when he called at a farmer's house of the name of Michael Lynch, who told informant that the people who were going to Mullogh called at his (Lynch's) house for his arms, but that he did not give them.

The Information of *John Farrelly*, sub-constable, sworn before *Bartholomew Warburton*, esq. 12th February 1831.

States, That he was present with the before-named John Parsons, and corroborates every thing said by said person; and saith further, that he went to the end of the barracks to look out, and try to ascertain what was going forward, when he saw about eight men passing, seven of whom were armed with guns, and one with a horseman's sword, did not know any of them; informant immediately returned into his barracks and consulted with his comrade Parsons, as there were only two of them it would be prudent to fasten up their barracks, and to make the best defence they could in case they should be attacked.

The Information of *Denis M'Cabe*, of Mullogh, sworn before *Bartholomew Warburton*, esq. 15th Feb. 1831.

States, That he was in the fair of Mullogh the last fair day, heard that a poor man from Virginia was beat, after that saw the police in the street and a number of persons following them, shouting and huzzaing them; informant used his utmost endeavours to prevent them from following the police, but could not prevent them; they still followed them towards the barracks, saw a man stoop down, take something up and throw it after the police; went into the market-house as he was afraid to stay in the street, as he was sure from what he had seen that shots would be fired. Heard and believes that a number of stones were thrown at the police, and that the police had no alternative but to fire; states that the country is in a most disturbed state, and if it was not for the police the quiet and well-disposed could not live in the country. Heard that a number of persons armed from different parts of the country assembled in the neighbourhood of Mullogh to attack the police. Heard that most of those people came from the parish of Moynalty.

The Information of *Felix Reilly*, of Ashford, sworn before *Athinson Caffray*, esq. 15th February 1831.

States, That he was in Mullogh the last fair day, was leaving the town and saw the police drawn up opposite their barracks, and a great number of persons round; heard the police beg and entreat of them to go home, but they did not do so, thought they were defying the police from their manner. Before this informant heard that the country people attacked the police, and threw stones at them in consequence of their having taken up two men, Farrelly and Daly, for beating an old man, and that the police were obliged to fire, and that a man of the name of Lawless was wounded. Informant during this time was in a house and offered to go out, was surprised when he was going out of town and saw the people

people about the barracks after the police had fired; believes it was in their own defence the police fired, and that they had great forbearance; this is the general opinion among the peaceable and respectable farmers of the country with whom he has conversed since the occurrence took place. Heard that a number of country people were assembling at night to attack the police, and arming themselves; heard that hundreds had assembled, and that his uncle's son told him that a number of persons called on him and wanted them to go to Mullogh to attack the police. Believes there are many respectable persons forced to go and join those parties, through fear, and that he conceives the country to be in a most disturbed state, and if there is not a stop put to the present disturbance no peaceable person can stir out on his lawful business, and that if the police were not there to protect them they could not go to the market or fair with the produce of their farm. Heard that a man of the name of Andy Collins was a very principal person throwing stones at the fair of Mullogh, and when informant was coming into town this day he met Collins returning from Virginia and could not help remarking, "What could have brought that fellow to town, surely he could not have the face to go before the magistrates?"

The Information of *James M'Canna*, of Mullogh, sworn before *Robert Sergeant*, esq. 16th February 1831.

States, That he was in Mullogh the fair day; left it a little before sun-set; saw nothing that was wrong; was not in the street at the time any riot took place; heard that there was a row, but did not see it or feel it; did not see the police do any thing wrong that day; heard that they fired; did not hear that they were attacked by any persons at the time they fired; does not believe they would fire if they were not attacked; heard one man got a ball in the thigh; heard his name was Lawless; heard a man was wounded with a bayonet; did not know who it was; might have heard it, but do not remember; did not hear that any persons had assembled in the country to attack the police; did not hear any shots fired; no person ever told him there were shots fired; was not going with any person to drink that day; was in an empty house in the town when some people rushed in and shut the doors, and when he asked what was the matter, was told there was a riot in the street; cannot tell one that went into it; saw a man of the name of James Lee in the fair that day; was a servant boy of his at one time; after the people rushed into the house James Lee came in, and informant desired him take a glass of whiskey; did not stay long.—What is the character of that boy? Good.—In your belief, if the police were taken away that you would be quieter? Before they came we had very little peace. Never heard any thing of the police until that day, and if they were forced to it, they could not help it.—What is the character of the country, is it peaceable or the reverse? It is not peaceable, for no man can leave home and return to it, except he be of the party who are disturbing the country, without being in danger; heard of several houses in the country being broken into and arms taken before the police came; heard of M'Fadden's house being broken open and two of the men beat, and some blasting powder taken before the fair of Mullogh; is quite certain if any man swore that if the police were taken out of the country there would be more peace in it, he would not swear what was the truth.

The Information of *James Lee*, of Killeter, taken before *Atkinson Caffray* and *Bartholomew Warburton*, esqrs., 15th February 1831.

States, That he was going from his own house towards Mullogh, on the morning of the last fair day of that town; met a party of the police on the road beside the police-office, and then one of them told him he seemed to be drowsy; informant replied that he did not, for that he was at home lying on his bed all night; one of the police then said he would warrant he was throwing stones all night; deponent told him he was not, for he was at home all night; they then asked me where I was going; replied I was going about my business; they told deponent not to be insolent, for that they would shoot him; and deponent told them not to do so, for that he did not deserve it; they asked deponent, was he a relation to Dan Lee that was in the police; deponent sayed he believed he was; they then sayed on that account, as Dan Lee was a decent man, they would let him (deponent) go; one of the policemen observing some blood on deponent's shoe, said he must have been quarrelling all night; they then searched deponent to see if he had any other marks, and could find none; deponent was in the fair of Mullogh the 28th January last; saw several stones thrown at the police on that day, and saw a great number of people running towards the barracks after the police, throwing stones; deponent then ran away, and swears positively he does not know any of the persons who were throwing the stones; deponent ran into an empty house, belonging to James M'Kenna, in company with James M'Kenna and family, afraid of being shot by the police; when there was a little quiet, deponent came out of the house, and went to where the man was wounded; saw a man, who deponent understands to be named Lawless; deponent believes the blood observed by the police on his shoe was got then; states, his master, Michael Farrelly, desired him to come to Virginia this day to prosecute the police for threatening to take deponent up whilst going about his lawful business.

(H.)
Minutes of Evidence taken in the Mullogh Case.

The INFORMATION of *Michael Farrelly*, of Killeter, taken before *Atkinson Caffray* and *Bartholomew Warburton*, esqrs., 16th February 1831.

STATES, That he went to the fair of Mullogh, about three o'clock, and left it before sunset; while there saw nothing that was wrong; did not hear that any man was beat in the fair; the attack of the police did not occur until after deponent had left the fair; heard that the fair was very peaceable, and that about duskish the police began to take sticks, and that a riot began; on being asked by a magistrate, if he sent any person to the investigation yesterday, and for what purpose; sent no person, but his servant boy; asked leave to come to make a complaint against the police, who had molested him the day after the fair; said that the police took a hold of them; that some of them wanted to beat him, and others not; told them that they liberated him on account of one Lee being a policeman, a relation of his; that he told deponent no more; is quite positive he told him no more; did not tell him that the police were going to shoot him, Lee; did tell him that on examining him they perceived a drop of blood on his hand, and that the police said he must have been in the battle all night, and that the police examined him to try if he had any wounds on him; is quite positive that he did not desire him to come in to prosecute the police. On your oath do you believe the country to be in a quiet and peaceable state, such as any honest peaceable man can attend the fairs and markets without being in danger of being beat? Does not think it safe for any person to be out late at night.—Did you hear that the people were in the habit of meeting at night, and some of them armed; did you not hear that a number of persons were armed and assembled the night of the fair to attack the police? Never heard it.—What time of the night did your servant boy return from the fair? I cannot tell, I was in bed, but thinks it was not late, as I heard him return.—Did you hear of M'Fadden's house being attacked? I did.—When was it attacked? I cannot tell.—What was the result of that attack? They brought out Frank M'Fadden and beat him; never heard any reason assigned why they beat him; never heard of their taking any gunpowder out of his house; never heard that the priests prevented the people from attacking the police.—What is the opinion of the people as to whether the country would be more quiet or not, if the police were out of it? I have heard the people say it would be quieter, if they were out of it.

The INFORMATION of *Thomas Sheridan*, of Clonakell, taken before *Bartholomew Warburton*, *Athinson Caffray* and *Robert Serjeant*, esqrs., 14th February 1831.

STATES, That he was in Mullogh the last fair day; he went with his father to sell a pig; missed his father in the fair, and met with a friend, Joseph Sheridan; they went into a man's house named Smith to get change of a 30*s.* note; as they came out of said house the police were coming down the street with some prisoners; believes it was about the hour of three o'clock; a number of policemen were in charge of the prisoners; one of whom struck informant with a stick; saith he made his escape as well as he could to Mr. Raymond, the chief constable, and told him that his men had struck him; when he (Mr. Raymond) swore that for a brass pin he would have his head hopping before him, and then drew his sword and struck him, and ordered his men to make informant a prisoner; saith they then took him into the barrack, and struck him with their guns, and continued to do so after he was their prisoner, and then handcuffed him; saith he was kept a prisoner until Mr. Devoge went to Mr. Raymond, and got him out, promising he would go home quietly.

The INFORMATION of *John Farrelly*, taken before *Bartholomew Warburton*, esq. 14th February 1831.

STATES, That he was at the fair of Mullogh; he was standing with Joe Sheridan, who was standing at the door of John Smith, the publican, when either two or three policemen came up with the prisoners, when one of the police with a white stick struck Thomas Sheridan several blows, and continued striking him while he ran some yards along the side of a house, as the police went on as far as the hall-door of Smith's; they met a man of the name of James Sheridan, who said, "Boys these are doing nothing, don't beat them," (meaning Joe and Thomas Sheridan), on which one of the police struck him, James Sheridan, two or three blows; Thomas Sheridan came up to Mr. Raymond, the chief constable, and offered to speak to him, but cannot say what Sheridan said to Mr. Raymond, when he, Mr. Raymond, turned round, and made a race at him about four or five yards, and drew his sword, and made a blow of it at him, and struck him on the shoulder with the flat of the sword; and the policemen who had the white stick ran at him, and struck him twice, and then made a prisoner of him, and brought him into the barrack; the police then came out of the barracks and began to take the sticks from the boys who were in the street, when informant walked off, and never said a word.

The INFORMATION of *Michael Brien*, taken before *Bartholomew Warburton*, esq. 14th February 1831.

STATES, That he was in the fair of Mullogh and saw two policemen hold Michael Farrelly a prisoner, and several other policemen after him, when they met Thomas Sheridan and Joseph Sheridan out on the street, and James Sheridan standing in the door of a house; is not sure what house; when one of the police struck Thomas Sheridan; don't know with what;

what; saw James Sheridan who was standing in the door, who said something to the police; does not know what; when the policeman gave him three blows with a stick on the head and arm; saw Thomas Sheridan go to Mr. Raymond, chief constable of police and say something to him, but don't know what, when Mr. Raymond drew his sword, and struck Sheridan with the flat part thereof, and ordered him to be made a prisoner; Mr. Raymond then drew the police up in rank, and ordered them to screw on their bayonets; that while standing in their ranks some of them would leave the ranks and follow the people on the road, and take their sticks from them; thinks from the manner of the police they wanted to provoke the country people to do something that they might have an excuse to slaughter the country people; witness got afraid, for fear that the police would begin to shoot the people, and went home; saith these occurrences took place.

The Information of *James Kierney*, taken before *Bartholomew Warburton*, esq. 14th February 1831.

States, That he was at the fair at Mullogh on the 28th January last, and saw about eight of the police marching through the street, and Mr. Raymond standing with about eight men at the barracks; saith a man named Andrew Collins was coming down meeting the police, about half-past three o'clock, when one of the policemen of the name of Henderson, who was standing with the men in the ranks, desired him to keep off, and at the same moment (and without giving any time to the man to get out of the way) gave him a blow about the ear and knocked him against the ditch, and followed him and gave him a second blow against the ditch, which was paved with stones, and then returned to the ranks and marched off.

The Information of *John Gilsheran*, of Liester, sworn before *Bartholomew Warburton*, esq 14th February 1831.

States, That he was along with Mr. Kiernan, when a shoemaker treated him to a naggin of spirits, after he had paid him for some shoes, in the last fair at Mullogh; heard a little noise in the street a little after three o'clock; saith, he looked out of the window and saw about eight policemen bounce up from the barracks, and about eight more policemen at the barracks with Mr. Raymond; the police were a little noisy, making the people leave the way; the policeman who was one of the last couple saw him draw his gun and strike Andy Collins, and stagger him over against the ditch, and followed his blow again against the ditch and cut him; saith, that Christopher Henderson was the policeman who struck Collins; and as he was giving the blow desired Collins to stand off; saith, that Collins had neither a stick or rod in his hand, at the time he was knocked down.

Supplement to Appendixes (D.) (G.) (H.)

PAPERS respecting the Affairs at *Kilrea*, *Macken*, *Maghera* and *Mullagh*.

(D.)
Supplement.

No. 1.
Occurrences at Kilrea.

— No. 1. —

LETTER from Major-general *Blakeney* to *T. Drummond*, Esq., enclosing Report from Captain *Tenison* respecting occurrences at *Kilrea*.

Sir, Royal Hospital, Dublin, 12 August 1835.

With reference to my letter of the 10th instant, I have the honour to transmit, for the information of His Excellency the Lord Lieutenant, a copy of the Report made by Captain Tenison of the 14th Light Dragoons, respecting the occurrences which took place at Kilrea on the 13th ultimo, alluded to in the Order of the Select Committee of the House of Commons on Orange Lodges, dated the 30th ultimo.

I have, &c.

T. Drummond, Esq. (signed) *E. Blakeney*,
Major-general Commanding.

Sir, Armagh, 11 August 1835.

In compliance with the instructions contained in your letter of yesterday's date, I have the honour to transmit a copy of the Report made by Captain Tenison, 14th Light Dragoons, respecting the occurrences which took place at Kilrea on the 13th ultimo.

Returning the enclosures contained in your letter,

I have, &c.

The Military Secretary, &c. &c. &c. (signed) *Macdonell*,
Major-general.

Copy of Captain *Tenison*'s Report, 14th Light Dragoons, of the occurrences which took place at *Kilrea* on the 13th July 1835.

On Monday, 13th July, Major Garrett, 46th regiment, by a requisition received from Mr. Jones, stipendiary magistrate, ordered out all the troops quartered at Portglenone, and marched them, six miles, to Kilrea. On approaching the town we found the street crowded with persons, most of them having Orange badges. They were noisy, but not riotous. While the Riot Act was being read there by Mr. Jones, we halted, and then proceeded to the square in the centre of the town, where Major Garrett took up a position with a company, 46th regiment, supported in front by the detachment 14th Light Dragoons. After waiting there about an hour the different lodges, that seemed to have dispersed and left the town, were seen reassembling and joining their forces further down the street, upon which Mr. Jones ordered me to advance, which I did with one division of my troop. They seized my horse's reins, and attempted to stop me; when that failed, and they found I still advanced down the street, a volley of stones was sent from an alley and windows, that hit some of my men and horses. The former defended themselves with their sabres; one of the dragoons, being separated from his division, and surrounded, fired, but without effect.

No more stones were thrown, and the crowd gradually decreased till about half-past eight, when we left the town perfectly tranquil, and marched back to Portglenone, after having been in the town of Kilrea about four hours.

(signed) *E. K. Tenison*,
Captain 14th Light Dragoons.

(A true copy.)
Macdonell, Major-general.

— No. 2. —

MACKEN CASE.

COPIES OF REPORTS, &c. connected with the *Macken* Case, County *Fermanagh*, in 1831. Enniskillen, 19 March 1830.

(G.)
No. 2.
Macken Case.

Nine o'clock the Court sat.

Report of Trial.

The *King* against *Francis M'Brien*, *Ignatius M'Manus* otherwise *Storey*.

Petit Jury:—Stewart Beatty, James Elliott, John Elliott, John Frith, William Graham, Arthur Thompson, John Copeland, Gerard Dunbar, William Irwin, William Brookes, George M'Donald and John M'Guire.

An application was made on behalf of the prisoners to postpone the trial on the plea of newspaper publications, which was over-ruled by the court. An application was then made by

(G. Supplement. No. 2. Macken Case.

by prisoners' counsel to have array of jurors called over before the prisoners should be called on to say whether they were ready for trial or not; this was also overruled. A third application to have the names of the grand jury at the last assizes called over, in order to show that the present high sheriff was then a grand juror when bills of indictment were found against the prisoners; this was over-ruled; but the fact of his being on the last grand jury was admitted.

However, fresh bills of indictment being found against the prisoners at these assizes, the application dropped.

The panel was then read over, and a challenge to the array put in, in consequence of the high sheriff being a member of a Brunswick club, and also because the said high sheriff was one of the grand jury at last assizes when bills of indictment were found against the prisoners. On this counsel for the Crown demurred generally to the challenge of the array.

Mr. *O'Rielly* argued in favour of the challenge on the part of the prisoners, stated, that in consequence of the demur, the grounds of the array was admitted, and that the objection to the grounds was valid, or ought to be so; and that the sheriff being a party man, and the jurors, as well as himself, were all members of a political society opposed to the prisoners, who were on trial for their lives. Not a single Roman-catholic name to be found on the panel.

Mr. *Deering* said a few words, but was stopped by counsel for the Crown.

Mr. *Boyd* for the Crown replied to Mr. *O'Rielly*.

Mr. *Litton* for the Crown followed on the same side.

Mr. *Doherty* for the prisoners replied to Mr. *Litton*.

On the arguments of counsel of both sides being concluded, Judge Jebb, having retired with Judge Vandeleur to consult, decided that the demurrer must be allowed.

The prisoners having been given in charge, Mr. *Johnstone*, K. C., addressed the court and jury to state the case shortly as to the outline of the charge against the prisoners, but not to detail the evidence that would be given.

Mr. *Rolleston*, K. C., on the part of the prisoners, objected to the time Mr. *Johnstone* was taking, upon which Mr. *Johnstone* felt it necessary to speak at further length. Mr. *Johnstone* having concluded,—

Montgomery Armstrong, Esq., first witness for the Crown, sworn; examined by Mr. *Schoales*.]—At two o'clock was between Swadlinbar and Macken; went to the former place; met Lord Enniskillen at a cross roads at about 11 or 12 o'clock; saw at that time a very large collection of people on the hill of Mullaminny, many of them armed in various ways, with pikes, &c. &c., which appeared new; at that time there were about 1,500 in witness's opinion; went nearer to the party; Mr. John Johnston was with witness; had not seen Lord Enniskillen at this time; was in company with his Lordship when he went up to that assemblage of persons. Saw a vast number of people on the road variously armed, besides those on the hill. When the party separated, one part went towards Swadlinbar, the other towards Kenawly; part of them took off the road to the fields towards the right; Macken lies in that direction; knew some of the people; is acquainted in the neighbourhood; knew very few of them; they appeared to be strangers. Saw some of the party of men who went off the Kenawly road, in a bog at a distance at about four o'clock in the day, about a mile from Macken, off the road; saw nothing after that.

Cross-examined by Mr. *Rolleston*.]—It was about four o'clock when he went out; did not see either of the prisoners that day. Saw some Orangemen, and some of them were armed; is fond of the Papists when they conduct themselves well; does not know how he might like the pope; would kiss his toe as a matter of ceremony, but not of love; would not take a cardinal's hat, although it was worth 2,500*l*. a year.

Lord *Enniskillen*, examined by Mr. *Boyd*.]—Was at Florence Court on the 13th of July last; received information that the country was rising; got on his horse at about half-past 10 o'clock, immediately after breakfast. Saw near Derrylin on a hill about 1,500 or 2,000 persons; and along the roads along the mountains, crowds were coming to the assemblage; they were all armed in some way, muskets, pikes, scythes on poles, &c. &c.; was close to the assemblage; rode up to them; did not know a man among them, but two old men that went with him, and did everything they could. Said to the assemblage, "Good God, boys, what brought you here?" they replied, to prevent the Orangemen from walking; witness replied, the Orangemen should not walk. Lord Enniskillen went to the Orangemen and told them they should not walk but go home, which they said they would if they were not afraid of being killed and murdered on the way. The Orangemen were not then to be seen, but a house was pointed out at the foot of the hill in which they were assembled, and to which Lord Enniskillen went. Lord Enniskillen returned and told the assemblage the Orangemen would not walk, and requested of them to go home; they replied they would not, for there was another body of Orangemen coming from Belturbet. Lord Enniskillen rode off to stop their approach; they told Lord Enniskillen when he came up they were afraid of being murdered, as the country was up. This second body of Orangemen then, on Lord Enniskillen's direction, went off in the direction from Macken; and he then called on the crowd to perform their promise of dispersing, when they said there was an Orange flag flying, which they pointed out at a distance, and which his Lordship had immediately taken down, and called on them again to perform their promise; they then said there was another body of Orangemen coming from Swadlinbar, when Lord Enniskillen galloped off and found this was a body of the same persons as the crowd. After that some one stated that two men were shot at when a rush of the whole mob went off at once towards

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Derrylin. Saw a body of about 250 men in a bog towards Macken. One fellow struck at Lord Enniskillen with a scythe on a pole, which was parried off by men in the rear, but except which no offence was offered to his Lordship.

Cross-examined by Mr. *Deering.*]—Lord Enniskillen's anxiety was to keep both parties asunder; the party from Belturbet were armed well; the men at Tubmas' house did not see arms with, but heard there were 10 stand of arms in the house; does not recollect speaking to the prisoners that evening at Macken; heard music, but cannot say with whom.

George Thompson, examined by Mr. *Litton.*]—Remembers the 13th July last; was taking dinner at Gortdonaghy with Edward Scarlett; there were about 40 men; was there until about six or seven o'clock; about 1½ mile; the way to witness's house is by Macken; was going home; persons accompanied him who dined with him; nearly 40 accompanied him; some had arms, about 12 stand. Robert Mealey was one of those who accompanied him home. Saw persons on the hill over Macken; about 200 men to the best of his knowledge; they had weapons, pitchforks, turf-spades, and what he believes are called pikes. When they saw the party they returned back again; had got back about 40 perches; and before that, just as witness returned, stones were thrown at him, and he retired with his party back towards Scarlett's house. When witness was retreating, the party, about 200, followed; did not see anything done to Mealey, but had to carry him dead home; saw him about 10 or 15 minutes before he was killed. Saw several who were wounded; did not see the wounds given; nothing was done after; there were two shots fired in the air; after the stones were thrown, witness and his party went quietly along; they had no colours, and they were not in procession. Identifies M'Manus; saw a pitchfork in his hand; he had it in a position to charge; was followed by the Roman-catholic party, shouting. Witness and his party ran; were pursued half-a-mile, when the Roman-catholic party desisted from following them, witness and his party went back to their wounded. Saw the other party at this time, when he went back to Macken, running in every direction.

Cross-examined by Mr. *Doherty.*]—There were none but witness's lodge at Macken that day; believes there were other lodges to march; had not a gun that day; believes some of the muskets were yeomens'; does not know that any powder or balls were in the house; heard no shouts for the papists; it was at the hill of Macken that the fife played a tune; had no ribbons; took them down when they were going home; heard there were some of the other party wounded; cannot form a belief of who wounded M'Manus; there were more than two shots by witness's party; does not know who fired the shot that wounded M'Manus.

James Armstrong, examined by Mr. *Johnstone.*]—Dined on the 13th July last at Edward Scarlett's; heard something there that evening, and in consequence nearly 30 went with Thompson to Macken; was in front; Robert Mealey was with him; he was clerk of the church; there were of witness's party 50 men besides little boys; the road to Thompson's is by the road at Macken. Saw a crowd on the road at Macken, and heard a cheer; saw another party on the hill to the right of Macken, with colours on poles; saw F. M'Brien on the hill. (Identifies him). Saw farther on a party armed coming across a bog; they had pitchforks, pikes, &c. Witness and his party returned back home on seeing those men; was afraid and returned; saw the party from the hill come down after witness and his party, and some rather before them, as if to prevent their getting home; called on his party to run; some did so, and some returned to defend themselves; they were at this time attacked with stones; saw Francis M'Brien; was down at the head of the Catholics; they were within 10 yards of witness's party when they attacked them; Mealey had no arms; heard him beseech them, for mercy's sake, to let them go home. Saw him at that time throw up his hands, and turn on his heels; did not see anything done to him, but within a few yards of the place saw him dead. Saw Ignatius M'Manus, whom he identifies; had a pitchfork in his left hand, and a stone in his right hand; saw him throw the stone, and then stab at some one with the pitchfork. Saw one shot from the Roman-catholic party, about 11 from the Protestants; has no doubt that the two prisoners were of the party; those of the whole party opposed to witness he conceived to be mostly strangers; there was Mealey killed, and three others wounded that died after; in less than 15 minutes returned to their killed and wounded.

Cross-examined by Mr. *Rolleston.*]—Did not know of any other lodge but his own that day; had a musket and ball cartridge that day; had the gun to preserve himself in case any danger would happen; did not think they would have been attacked; went with Thompson and 50 men, strove to defend themselves, it was at the foot of Macken-hill they strove to defend themselves; there were shots fired by witness's party; saw James Lunny struck at before a shot was fired; saw M'Manus on the ground, did not see him fall; M'Brien had nothing in his hand, and he advised them to go home.

By Mr. *Johnstone.*]—M'Brien stepped aside out of the way when his party charged, he did not take any pains to restrain his party.

Anne Irwin, examined by Mr. *Schoales.*]—Was near Scarlett's on the 13th July last; saw people going towards the place called Macken; knew Mealey, Scarlett, Price and Robinson, none of them had arms; some of them passed by witness, and some were along with her; and on the top of the hill at Macken saw Frank M'Brien in the field at the top of the hill; at a distance saw a party on the road, Mealey and his friends; saw M'Brien take off his hat and beckon to those on the hill, and at same time heard his voice loud; at that time the Protestants were retiring, and in about three minutes the crowd on the hill came down pretty fast, saw some with pitchforks, bayonets on poles, scythes, &c.; they were then close to the Protestants;

Protestants; Mealey put out his hands in a beseeching posture, and begging them to do no harm; he was not armed; a man came up to and stabbed Mealey, who seemed to be near falling; saw him dead soon after; saw two shots fired in the air by the Protestant party before anything was done; the two shots were fired after the Protestants had turned about to go home; Mealey was stabbed in the breast.

Cross-examined by Mr. *Deering.*]—Believes there were six guns with Mealey's party, and about 25 or 26 men; saw no harm done until after the two shots were fired; there was a great crowd together at the time the two shots were fired; the battle was not more than a few perches from the two parties at the time the shots were fired; saw James Armstrong fire a a shot, but not until after Mealey was stabbed; was in gaol for debt; gave information, she believes, in August before she was put in gaol for debt; there was no fife played at Macken; a blast was played on the road by —— Cassidy, and the fife was then pulled out of his hand.

John Robinson, examined by Mr. *Boyd.*]—Was with the Thompsons and others at Macken; saw when their party came near Macken, Frank M'Brien come out of his house, and say Ballymarron had a quiet man; and witness replied, they wanted nothing but peace; saw something while on the hill on a pole, a flag; one of witness's party called to M'Brien to go take his men out of that; he said he had no men, but went into the field towards the hill, and took off his hat and beckoned to them to come, and the party then came down the hill and threw stones at witness's party, and heard two shots fired.

Cross-examined by Mr. *Doherty.*]—Belongs to the Protestant party; does not belong to any lodge, nor is not an Orangeman; heard before three o'clock on that day that the Orangemen were a murdering; an alarm came to his house that the rebels were at Dromain Bridge, and on going across the short way met the Thompsons; witness had a gun, and five others were with him; the gun was not charged at the time, but was taken from him on the way by some person, who loaded it; heard shots fired, cannot say how many.

Christopher Carson, examined by Mr. *Litton.*]—Was at Scarlett's house on the 13th July; saw when with the Thompsons about 200 or 300 men at Macken; saw Francis M'Brien take off his hat and beckon to those men, when they came on and attacked witness's party; saw M'Manus throw a stone at them, stab with a fork; and after the stones were thrown, saw two shots fired.

Cross-examined by Mr. *Rolleston.*]—Was of the Protestant party; had a gun, and fired a shot in defence of his life; the gun was loaded with a ball cartridge; some of the Catholics were wounded; witness's party took their guns; never did call out for the rebels; believes Rooney was wounded, he belonged to the Papist party; the shots were fired at the opposite party after the men were killed; had no Orange ribbons, but had an Orange lilly in commemoration of the day.

John Humphreys, examined by Mr. *Johnstone.*]—There is a footpath where people can go from witness's house; cannot identify.

James Keys, examined by Mr. *Schoales.*]—Was with the party from Gortdonaghy to Macken; identifies the prisoners.

Cross-examined by Mr. *Deering.*]

William Nixon, examined by Mr. *Boyd.*]—Was at Macken on the 13th July; identifies Patrick M'Brien, who took off his hat to a large party on the hill, on which the party came out in a violent manner towards the road, and with pitchforks endeavoured to knock off the bayonets from their guns; knocked down Lunny and took his gun; before that, two shots were fired, they were elevated upwards, not facing the people; Robert Mealey had a riding switch, and went up to them, praying for mercy; saw no more of Mealey until he saw him dead; does not know whether stones were thrown before the shots; at first only 30 or 40 persons appeared on the hill, but after the hat was waved there were near 200 men.

Cross-examined by Mr. *Rolleston.*]—Considered they were not struck before they turned; that they were struck; the two shots were fired before any stones were thrown; they turned round to parley; there were men knocked down with stones after the two shots were fired; they thought to take the bayonets off their guns with their forks; that their bayonets were pointed at them; that they presented their bayonets to keep them off; after their attempting to take off the bayonets there were some shots fired, when they rushed in on them, and thinks there were eight or ten of his party fired a shot during the battle; no double barrel gun was among them to his knowledge.

Andrew Miles, examined by Mr. *Litton.*]—Lives on the lands of Drumhack, about half a mile from Macken; observed a number of people collecting on the hills; went to Macken; saw a number of people all the time; saw the men running down to the road, within about one hour there were near 200; cannot say whether they were the same party that run down to the road.

Cross-examined by Mr. *Deering.*]—There was no disturbance until evening; there were women and children making a noise in Macken at the time.

John Glass, examined by Mr. *Schoales.*]—Was at Macken; identifies Francis M'Brien; saw him there; had some conversation with him; he came out on the road; spoke to some of the party in a quiet and peaceable manner; that he would be sorry to see a Ballymarron man laid at his door; he replied he would be sorry to do any injury to a Montagh man; witness said he and his party went to protect two young men past Macken in consequence of their seeing them.

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Dr. *John Neville*, examined by Mr. *Johnstone.*]—Saw the deceased with marks of violence on his head, and had fractured wounds in his breast, and which were sufficient to cause his death.

Case closed here on the part of the Crown.

DEFENCE.

John Quintin, examined by Mr. *Deering.*]—Lives near Dromain Bridge; that road is on the main road from Enniskillen to Belturbet; he saw an armed body going towards Macken about 7 o'clock in the evening; they had pouches, belts, &c.; saw John Price, who caught him by the collar, and asked him what he was; witness replied his life was in his hands; he then desired him to come along with them; and heard them cry out "no pope, no surrender;" there were about from 20 to 30; heard one of them say he had 30 rounds of ball cartridge, and that while that would last he would wade knee deep in Catholic blood; then stopped; that he went one side to avoid the men, and to get away; and before he got off he heard one man, who had a broad stick in his hand, say he would spansel them in their own guts; two men came up; one of them with a gun, said it is well done to pop him before he goes further; one of them then snapped a gun which did not go off; heard the snap.

Cross-examined by Mr. *Johnstone.*]—Does not know his landlord; does not know the man who said he would be spancelled in the papist's guts; does not know the man who said he had 60 rounds; nor does not know how many rounds his pouch would hold. The Orangemen did not march with arms usually on the 12th; never saw any with any on that day before; Price asked witness, what are you, witness replied he was a Protestant; the place where witness lives is all surrounded by Roman-catholics.

Cicely Manelis, examined by Mr. *Kernan.*]—Lives near Dromain Bridge; saw a little boy examining guns; and after that saw men and women coming from towards Corraghreddy Lodge; and stopped a few minutes at witness's door. Some took off their hats, and cried, come on to Monthon, rebels; and saw them run to Macken.

Cross-examined by Mr. *Boyd.*]—Is a Donegal woman; has two children; knows none of the 10 men, and saw no arms with them; there were 10 first, and 12 after, and 30 after that; saw no handkerchiefs on poles; and shortly after that they were all armed, to the number of 60. Willy Armstrong had a long pole. When all were assembled to the number of 60, to the best of her belief; there was no offence given to any one until the party arrived at Macken, when she heard shots.

James Moran, examined by Mr. *Doherty.*]—Lives at Tullylummon, a mile and three quarters from Macken; saw the people gathering towards Macken; they had guns; one of them said he had only one life to lose, he would either lose it or have more. Lunny made use of this expression.

Cross-examined by Mr. *Litton.*]—Saw Lord Enniskillen and Captain Joyce coming by with two policemen; heard there was a gathering at Derrylin; the evening of the day he heard this, there was a battle at Macken.

Mary Milligan.]—Lived in July last with Sergeant Armstrong of the police; saw a number of men armed with guns and pouches; John Price had a belt and pouch; John Scarlett and Leonard had pouches; and Christy Armstrong said to witness, "Damn his soul if he got one of her name he would trail his puddings;" and added, "I am going to Montagh, will I get a rebel to defend me?" Saw none of them make use of their arms, but was asked for a hard pin from witness to pick the lock of his gun; Richard Scarlett was the man; and then after that left the house.

Cross-examined by Mr. *Johnstone.*

Patrick Doogan, examined by Mr. *Hassard.*]—Saw a number of persons passing by near Dromain Bridge; knew John Robinson, Price, and two Armstrongs, two Lunnys. Some were armed, and they crying out, come out from Montagh; and one said in reply to a question from witness, we will give them war in their hills.

Cross-examined by Mr. *Boyd.*]—They had no flags or badges; did not offend witness; was convicted and confined in gaol, but does not know for what reason; was sentenced to six months' imprisonment.

Michael M'Manus, examined by Mr. *Doherty.*]—Lives a quarter of a mile from Dromain Bridge; saw, between six and seven o'clock, coming from Scarlett's place, about 50; saw the glaring of arms; saw them, making a great noise, going towards Macken; his wife and family were alarmed, and went from their house; the two men of the name of Lunny were seen striving to make peace; heard shots; the Orange party fired the first shot; then there were two shots, and then the firing began, and the fight was general; was a half mile off. Saw two men wounded by the Orange party; witness's son was wounded; heard his son was not in the fight; the shot that wounded him was fired in a quarter of an hour after, and was a quarter of a mile off, as he believes; he did not fall when he received the shot; was out of witness's sight when he received the shot.

Cross-examined by Mr. *Litton.*]—Witness told Captain Joyce of his son being wounded; his son he does not know where he is; understands his son had fled the country; is away since that fight took place; went off the next day, and is not in the country since; does not know where he heard Ned Scarlett was killed; his son was looked for by the police; never heard

heard his son was accused of the murder of Ned Scarlett; does not know where his son is now; never slept in witness's house since that time; does not know whether his son had any arms.

James Foley, examined by Mr. *Deering*.]—Was in Macken on the 13th July, about seven or eight o'clock, saw armed men, between 20 and 30 persons, part were armed; witness was about 50 perches off; there were two parties, the first must have been armed; together the parties were from 50 to 70 men or less; the first party that advanced were coming down the hill towards Macken; heard shots at this time, as the first party was coming down the hill; there were shots from this party; heard words, "go home, boys; what brought you here?" but does not know from what party; the parties had met together at this time; the shots were fired previous to this, but from the Protestant party; they had belts and pouches; there was three shots fired, and then there was an engagement immediately; cannot say how many minutes it took to fire the shots, but was a very short time; the Macken party then pursued the others to Drumbarness-hill, about 50 perches; a man came up to witness with his face bloody, he was a Protestant; until the Orange party came, saw no disturbance.

Cross-examined by Mr. *Johnstone*.]—The first party were about 40 and 50; they were walking down the hill; they were coming down Macken Brae, going home or returning; could not distinguish the persons of any of them; saw the Catholic party come down the hill at a very quick motion, when the Protestants were on the road; saw pitchforks with the Catholic party on the road, but cannot say were they pikes or not; did not see any of the Catholic party shoot any one; the smoke was so thick, could not tell; there might be eight or more shots.

Anne M'Ilgun, examined by Mr. *Doherty*.]—Lives near Macken; was, the evening of the 13th July, in Macken, saw Orangemen, they consisted of 60 or upwards; some of them had guns and some had pistols; saw ribbands and Orange lillies in their hats; heard them say that they would not go home until they left their puddings about their heels; some of the people of Macken left their houses when they heard their cheers and saw their appearance; there were two shots fired on the other side of Macken houses; they shouted for the face of a rebel; one swore they would shoot those they found with a gun or bayonet; Francis M'Brien came forward to the Orange party, took off his hat, and said they wanted to have nothing to do with them; M'Brien was on the field; some of this party said they would shoot them, and a few levelled their guns at them; the Catholics then came down on the road and fired; then both parties joined, and two shots more were fired; then the fight began.

Cross-examined by Mr. *Boyd*.]—There were 40 guns at any rate; about 12 levelled their guns; saw none fall; none of them fired at that time, but they fired after; was about eight or nine perches off; the guns were pointed out towards the Catholics.

Matthew M'Cue, examined by Mr. *Hassard*.]—Was in the widow Kearns's house; witness went towards home, on seeing they were all going to be murdered; the party crossed the hill; saw Frank M'Brien striving to make peace; heard one shot first, then two, and the battle commenced.

Cross-examined by Mr. *Litton*.]—Saw none of the Catholic party; some were armed, from 15 to 20; none were armed; none of the Catholic party were killed.

Philip Flanagan, examined by Mr. *Deering*.]—Lives half a mile from Macken; some wanted the Orange party not to go forward, but others insisted on it, and some cried no pope, no surrender. Michael Lunny, R. Lunny, and R. Scarlett asked what was the consequence of their coming forward. Tom Armstrong, with a large pistol, swore by his Holy J——s. Then came on in line of three and five; and one d——d his soul, why he was not on with the rest. Scarlett asked witness to go on and see what would be the result; it was about half an hour before the party on the hill came down crying, no pope, no surrender; he heard them cry out for the cowardly dogs to come down; there was a good number of men, women and children on the hill; those on the hill then came down, and then there were two shots fired, and the attack commenced; there was no blow on either side until the shots were fired; saw the Orangemen then retreating; saw no injury done before this, until the shots were fired, and then a stone was thrown.

Cross-examined by Mr. *Johnstone*.]—Saw no arms with Scarlett except a staff.

Nancy M'Brien, examined by Mr. *Doherty*.]—Saw the Orange party come to the town of Macken, the 13th July; saw women and children alarmed; saw T. Lunny, and said to him to turn the men away; and to John Lunny turn those men; and one of them dropped on his knee, and levelling his gun, said come forward, you cowardly dogs, and said he had as much ammunition as would settle them all, the cowardly dogs! they then cried out, you rebels come on. One man said he had as much powder as would kill as many snipes.

Cross-examined by Mr. *Boyd*.]—There were between 60 and 70; there were about five, and cannot say there were 50. Is daughter to the prisoner, M'Brien.

Case closed for the prisoners.

At half-past 11 o'clock at night, the learned Judge commenced his charge, and at one o'clock the jury retired; and afterwards returned a verdict of *Guilty* against Ignatius M'Manus, and of *Not Guilty* against Francis M'Brien.

Note:—Ignatius M'Manus was executed for this murder.

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No. 2.
Macken Case.

Copy NOTES taken on the Trial of *Patrick M'Manus, Francis Montgomery* and *Patrick Montgomery*, for the Murder of *Robert Mealey, Edward Scarlett* and *John Robinson*.

Monday, 22 March 1830.

The *King* against *Patrick M'Manus, Thomas* otherwise *Francis Montgomery*, and *Patrick Montgomery*.

Notes of Trial.—Court opened at Nine o'clock.

Jurors' Names:—William Coulter, Joseph Ebbitt, Gerard Doherty, James Hall, William Beatly, John Moffit, John Graham, John Armstrong, Joseph Armstrong, James Frith, William M'Cullogh, Andrew Cassidy.

An application was made to the court by Mr. Rolleston, and followed by Mr. Deering, to have Francis M'Brien, who was acquitted on Saturday, put on his trial, in the hope of an issue for acquittal on the other indictments being sent to the jury, in order that M'Brien might be made use of as a witness for the defence. Counsel for the Crown resisted the application, and the clerk of the Crown proceeded to swear the jury. 109 jurors appeared; 32 were challenged peremptorily by the prisoners, and 16 for cause; six were set aside by the Crown.

Mr. *Johnstone* stated the case.]—He said that, on the 13th July, Scarlett, had a number of friends to dinner, and they accompanied two persons of the name of Thompson home, who were afraid to return; that on the part of the prisoners it would be attempted to be proved that it was an Orange procession; that was not the case, but even so would not be a justification; that there was a great assemblage of persons on the hills and at the backs of the ditches, which alarmed them on their way; on this they returned back at a quick pace, and were followed and attacked; that in the retreat two shots were fired by them, but not at any one.

Noble Lindsay sworn at 12 o'clock.]—Was on duty the 13th July last with Lord Enniskillen and Captain Joyce; observed a great number of persons armed in various ways. At the time Lord Enniskillen went up to the party at about 11 o'clock, saw among them M'Manus; saw him several times that day in the party, with a pithfork in his hand. This was about two o'clock.

Cross-examined by Mr. *Rolleston.*]—This was about 11 or 12 o'clock. Lord Enniskillen had an opportunity of seeing the people as well as witness; saw the prisoner the last time about six o'clock in the evening; was there then; with the crowd the whole of the day; the prisoner lives at a place called the Montaghs; never was examined before; is not an Orangeman; has plenty of friends Orangemen; never spoke of it before, except among the men; did not tell it to Mr. Joyce; is not in the habit of discoursing with his officer; did not keep it a secret; Lord Enniskillen knew many of them, and did not move in it; saw none of the police interfering, and therefore did not go to a magistrate.

A question was put by Mr. Schoales, but not allowed to be answered.

The Earl of *Enniskillen*, examined by Mr. *Johnstone.*]—Was informed of something, and proceeded on the road towards Derrylin; if he did not come on as the only person to keep peace; went forward and unarmed; called on the people he saw on the hill assembled to disperse, and that he would not let the Orangemen walk; then went to a house at the foot of the hill; saw a number of Protestants in it; requested them to go home; they answered they were afraid of their lives, but would do anything his Lordship desired; [*Lord E. then detailed as in the trial of M'Manus or Storey*]. Went on to stop a body of Protestants; asked them, for God's sake what were they there for; they replied, to defend their lives and properties, as they heard the Catholics were rising to murder them. His Lordship ordered them home, and they immediately went off in the direction from the assemblage. Went back then; told them he had performed his promise, and called on them to perform theirs by dispersing, &c. There could not be less than from 1,500 to 2,000 men, and bodies coming in all directions to join them, in numbers from 50 to 200.

Cross-examined by Mr. *Rolleston.*]—They all appeared to be strangers. The Orangemen did not march on the 12th or on the 13th, nor did not intend to march at all; cannot say what hour; it was at a particular time, for he was four hours galloping from one party to another; sent to disperse a party of Orangemen, and saw them retiring in the direction from Macken; the Belturbet men were well armed with muskets; were not like men with vengeance in their minds; they were determined men, as they ought to be.

Thomas Thompson, examined by Mr. *Schoales.*]—Remembers the 13th July last; knew Edward Scarlett; he is dead; was in his company that day in Mealey's and his own house to eat dinner; there were about 30 or thereabouts in the company at dinner; the road home was through Macken; there went about 30 with him from Scarlett's, to escort him and his brother home; some had arms, firelocks, about 10 or 12; Dromain Bridge is on the road to Macken; more men joined them on the road, there might then be 50 in all; considers it was about five or six o'clock when they left Scarlett's; a few of those who joined them on the road had firelocks; when at Macken, observed a great party of men on a hill to the right, and afterwards a great deal more; they were cheering; observed pitchforks, bayonets on poles and other weapons; this party appeared to be getting before them, as they advanced towards Scarlett's; knew Mealey; he was striving to make peace; saw his hands up; was afraid

afraid to go forward; the party before were getting so strong, threatening them; heard a shot or two after the the time Mealey had put up his hands to make peace; they had proceeded about a quarter of a mile on the retreat; had no arms; Mealey was killed on the ground, and Price was wounded, and Robinson also; both died since; did not get back to Scarlett's house; the attack was made with weapons, as before described; they were going back as fast as they could, and trying to keep themselves together, the other party trying to surround them.

Cross-examined by Mr. *Deering*, K. C.]—The people were running down the hill to attack them, when the first shots were fired; Derrymore Bridge is about two miles or more from Scarlett's; passed through Macken, going to dine at Scarlett's; was not molested on the way; saw no armed men on the way; none of the Orangemen went to Scarlet's armed; saw persons bring arms, but does not know when they got them; does not believe there were any from Lisbellaw; was not afraid until he saw the people assembled; heard all his neighbours and friends were killed; his blood was roused; was not well contented at hearing his neighbours were killed; heard there was a battle; the escort was made for the pretence of attending them; all those who joined them on the way were not armed; Mr. Sandy Nixon is the master of his lodge; heard there was a man of the name of Rooney shot; heard that Terrence M'Manus was wounded; cannot say whether any man was fired at by his party; does not know who fired the shot; did not see a gun with Armstrong going to Macken; saw a gun in the air, but does not know who held it up; his brother was near him at Macken; Mealey was three or four yards from him; was on this side the hill on the way back; saw a man with his hat off when they were retreating; that was before the shots were fired; the engagement began directly after the shots were fired, and that Rooney w as shot at that time.

By Mr. *Schoales*.]—It was about 10 or 15 minutes before any more shots were fired after the two first.

Edward Scarlett, jun., nine years old, examined by Mr. *Johnstone*.]—His father is dead; remembers the 13th July; went with the Orangemen; on going to Macken saw the Catholics throwing stones until the fight was over; two squibs were fired in the air by his own party; Michael M'Manus, sen., struck his father with a bog shaft, and Montgomery with a turf-spade; identifies Montgomery; Montgomery used to dine at his father's house, when working at hay; did not know his Christian name before he was taken; the Protestants were returning when the shots were fired in the air; stones were thrown by the Catholic party, and then the Protestants were knocked down out of a face; there were no other shots fired until Mealey was struck.

Cross-examined by Mr. *Rolleston*.]—Had very little talk about it; loved his father very much; was in the barn with his father when giving round some whiskey to the men; took a little drop; Gabbett told him if he took a false oath he would go to Hell; God is in Heaven, the Devil is in Hell; about 20 of the Protestants were in the battle; most of them all ran away; they were begging for peace; Mealey had his hands up, begging for peace, and a fellow came forward and stabbed him in the breast; the Catholics cheered; there were nine or ten women; they and witness ran away.

William Lunnin, examined by Mr. *Schoales*.]—Saw people coming from Scarlett's house towards Dromain; joined them; there were about 20 men; about 12 were armed; observed at Macken about a thousand men, armed with pitchforks, stones, &c., in a riotous way; on seeing them, were returning back, and they were followed by this party, running down the hill after them, and they then began to throw stones at them; did not see any stones thrown when the shots were fired; they were fired in the air, after they turned to retreat; identifies Thomas Montgomery, who had a pitchfork running after them; there were others armed in the same way, running after them.

Cross-examined by Mr. *Kernan*.]—Did not see a great number of women, but a great number of men; were very peaceable; molested no one; was examined by Captain Gabbett soon after the time; told the magistrate that it was a stick Montgomery had.

James Armstrong, examined by Mr. *Johnstone*.]—Was at Scarlett's on the 13th July; went with the Thompsons to escort them home; there were some together and some behind; when at Macken, observed a multitude on the hill, to the right; heard them cheering; they were armed with pikes and pitchforks; they had coloured white handkerchiefs; returned then to go home; it was between six and seven o'clock; saw nothing but a fife playing; saw stones throwing from the ends of the houses, after the party were returning homewards, to the distance of 30 perches, when those on the hill came running down the hill after them, and some endeavouring to get before them; stones were throwing after them, and then two of their party fired shots in the air; asked them were they mad, and stones throwing; is quite positive stones were thrown before the shots were fired; knew Robert Mealey who was killed at Macken; saw him before that; the Protestants fired shots in the course of the evening; no shot but those fired in the air until after the general charge; the two first were fired after stones thrown from the ends of the houses; one was killed, six or seven wounded, three of them since dead; saw Mealey plead for mercy, with his hands up, and no shots were fired at the Roman-catholics until after that.

Cross-examined by Mr. *Hassard*.]—Knew the vessel that the spirits were in, it might hold four gallons; there were no offensive words given to any one by his party; on seeing the party on the hill, and going on a little further, observed numbers with pikes, pitchforks, &c., coming in all directions across the bog of Montagh, and then got alarmed, and ran back;

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there was no drum, fife or flag with his party that day; the person who had the fife did not belong to witness's party.

Anne Irwine, examined by Mr. *Schoales.*]—Went to Tonylumon on the 13th July last; saw a number of the Protestants' party going towards Macken, Anne Carmichael and Edward Scarlett; when at Macken, saw Francis M'Brien on the hill; knew and saw Robert Mealey; there was a conversation between them; M'Brien took off his hat, and waved it; some of the Protestants were returning home; and then all the rest heard two shots fired, and soon after a third; Mealey was stabbed, and fell, and there was then a shot fired at the party coming down the hill; these ran away, and returning again, saw Scarlett lying on the road bleeding; the party coming down the hill had scythes on poles and pikes, and one had a spade-shaft; does not know any of the prisoners at the bar.

Cross-examined by Mr. *Rolleston.*]—There are three houses in Macken; the people were coming down the hill when the shots were fired in the air, and the Protestants were then retreating, and some of those on the hills were coming into the road at this time; did not look back until after three shots were fired, and the people were then coming down, up to them; would not be sorry to see the men killed that stabbed Mealey; believes that the man that fired a shot, after Mealey was killed, was Armstrong; saw Scarlett killed, and at that time the engagement was going on.

Elizabeth Carmichael, examined by Mr. *Johnstone.*]—Saw the Catholics at Macken attack the Protestants; identifies Patrick Montgomery as being of the party.

Cross-examined by Mr. *Deering.*]—Was in the lodge at Crookmacroddy after three, when one of them went out of Lunny's, and heard shots; there were then 10 or 12 men at Lunny's.

William Robinson, examined by Mr. *Schoales.*]—Was of the party that went from Scarlett's to Macken; the opposite party in the road and in the fields threw stones at his party; was the third person knocked known; identifies Pat M'Manus.

Cross-examined by Mr. *Keiman.*]—Was three days after that; he was in such a state as not to know any person who came into his room; there were three shots fired in the air; does not know whether any shots were fired after or not.

John Glass, examined by Mr. *Johnstone.*]—Was of the party with Scarlett on the 13th of July last, at Macken; did not on the way injure any person; was in the front; observed a number of persons, principally armed with pitchforks; had a conversation with M'Breen on their retreat (when they saw the men on the hill); they were attacked with stones; identifies M'Manus; he had a pitchfork; got six wounds in the body and one in the hand that day.

Cross-examined by Mr. *Rolleston.*]—Would not swear to more than 12 guns among the Protestants; did not fire a shot; was knocked down; had a bayonet on the gun; held it across his breast; never had any intention of injuring the papists; never fought a challenge; never was struck by any of them until that day; did not know there were 20 of the papists wounded; believes there were some of them hurt; heard two shots, one before he was wounded, the other just at the time.

Jane Mahon, examined by Mr. *Schoales.*]—Was at Macken on the 13th of July last; identifies M'Manus; heard Francis M'Brien ask John Glass what brought him there; he said it was to escort him a piece of the way home, as they had heard there was a party with unlawful weapons; M'Brien said there was no one there would offend him; went into the fields; shook his hat, whether to bring the people forward or to keep them back, does not know; stones were thrown, but by whom he does not know.

Cross-examined by Mr. *Deering.*]—The Protestants were not attacked until after the hat was shook; the two shots were fired in the air to alarm the Protestants' party; it was after firing the two shots the charge was made.

John Neville, examined by Mr. *Johnstone.*]—Is a surgeon; examined the body of Edward Scarlett; had small wounds; his death appeared to be occasioned by blows from blunt instruments; he had one cut on his cheek, done with an angular instrument.

FOR THE DEFENCE; FOUR O'CLOCK.

Sally Neal, examined by Mr. *Keiman.*]—On the 13th July last, saw several parties of men; was with Lunny's party of Orangemen; one of the men took off his hat; desired them to run, and called them cowardly rascals, to come on; they went into the house (Ned Scarlett's) for their hats, and ran towards Minichin.

Cross-examined by Mr. *Schoales.*]—Could not see whether the other party had alms or not, they were too far off; there were about half a score of Lunny's party.

Michael M'Manus, examined by Mr. *Rolleston.*]—Lives within about a mile and half from Scarlett's; on the 13th July, saw about 50 men, armed, coming from Scarlett's, they were cheering; the families all left their houses in his neighbourhood, fled out of their houses for fear of being killed; these men were coming in so desperate a manner; there were two Lunny's, who say they were for peace, but could not stop their party; knows nothing that happened at Macken.

Cross-examined by Mr. *Johnstone.*]—Does not know where his son is.

Ally

Ally Manelis, examined by Mr. *Hassard.*]—Recollects the 13th July last; was in her master's house in the evening; at Dromain Bridge saw Orangemen going along towards Macken, calling out for the Montagh rebels.

Cross-examined by Mr. *Schoales.*]—Perhaps she might know a Montagh man, if she saw him, as well as an Orangeman.

Philip Flanaghan, examined by Mr. *Deering.*]—Recollects the 13th July last; saw men on the evening of that day, a good many men, some armed, going towards Macken; heard them cry out, "no pope, no surrender;" they were going quick; had a conversation with Richard Scarlett and Robert Lunny, the former asked him to come and see what was doing; Thomas Armstrong had a pistol, and said, with the pistol in his hand, by his holy J—— he would blow the brains out of the rascals; R. Scarlett got his arms round Armstrong, to prevent his being shot; the men who were with Scarlett went to assist him, and Armstrong was taken away from injuring him; and one came up and damned Armstrong for a rascal, why was he not up with the rest towards Macken, pushed him forward, and then he went on; Scarlett asked him to go on home, the business would end; had a view of Macken; saw the Orange party go to Macken; saw nothing happen at the houses, but the battle was on the flat below it; saw the Orangeman; saw the Orangemen take off their hats, and beckon to the men on the hill to come down, for cowardly dogs; saw, after that, between 12 or 14 men come down the hill; a shot was then fired, and then two more; cannot tell whether any injury was done on either side before that; but the moment the shots were fired the fight began.

Cross-examined by Mr. *Johnstone.*]—There were more than 100 Orangemen; when they got all together, the party retreating invited the others to come down from off the hill; did not see any one fall; the smoke was so great, it was not many minutes until it was all over, and in about three minutes it ended; saw four lying, and one limping away; saw men before that crossing the bog to Macken, wandering, when they heard of Derrylin.

Anne Ilguin, examined by Mr. *M'Keiman.*]—Lived near Macken; saw a party of men on the 13th July, between seven and eight o'clock, armed with guns and bayonets, some had Orange lillies; went on before them to Macken; the women were making off with the children to a hill behind the houses; heard two shots fired when the Orange party went into the town, and two of them grinned over the ditch into the field, and said they would attack them there; others said they should not, but would take the other side of the hill for it; that was the time the shots were fired; M'Brien was striving to make peace, and some made answer, "Damn their souls, why should they go home."

Cross-examined by Mr. *Schoales.*]—Mealey had a gun; saw him level it, and fire; believes he was killed; there were more than she can number; cannot tell how many were on the hill; the Orangemen were the strongest party.

Jane Keirnan examined by Mr. *Deering.*]—She lives in Macken these 20 years; saw a number of armed men coming into Macken, about seven or eight o'clock in the evening of the 13th of July; was at her own door; at that time kept a public-house; the party cried out, "No King, no Pope, no Lough Derg;" and others said, "That's no surrender;" was preparing to go out with others of the women and children; the cause of their leaving their houses was the manner in which the men were coming, the speeches they were making of spancelling them with their own guts; saw M'Brien striving to make peace with old neighbours; a genteel-looking man desired them not to lose their ammunition there, but to come down to the back of the hill, and they would make them fly like sparrows; they then went down the hill past her door; and then it was said to the men, they saw on the hill, "Come down, you cowardly rascals;" had seen some of the people before, and said to them, "For God's sake, gentlemen, go home, nobody here will annoy you," and a person shot William Rooney at that blessed moment; saw William Rooney at the time; that was the first shot that day, and two others directly after; saw a great many men, after running from one part and another; the numbers increased after the shots; there are only three houses in Macken, except a few small cabins; has seen the Orangemen walk, and never saw them do injury to any one, or any one to them, before.

Cross-examined by Mr. *Johnstone.*]—Has a son called Terence; saw him once since the 13th July last, but once soon after that day; heard he was charged with the murder of Mealey and Scarlett; has another son in gaol (Hugh) charged with murder; there was a great number of the Orangemen; did not lift a stone or stick that day; did not see a single pitchfork or pike brought from the hill.

By the Court.]—John Glass presented his gun, and fired; saw Rooney fall; two others fired, not a second was between the three shots; cannot say how near the other two men were off from Glass at the time; does not know the other two men; saw Tommy Armstrong carry a gun; did not fire; is sure she did not know any person except Ned Scarlett; did not see James or Bob Lunny; does not know a person of the name of Charles Lunny; did not see John Boyd nor William Scarlett there, or Robert M'Brien.

Mary M'Brien, examined by Mr. *Rolleston.*]—Saw the Orangemen come into Macken the evening of the 13th July; some were armed; they cried out for Montagh rebels, and swore they would shoot them, at them, at their own doors; one man with white trousers, at the end of the house, dropped on his knees, shook a white handkerchief, and desired them to come down, the cowardly rebels; another presented a gun, and fired at the crowd of Catholics; Christopher Armstrong swore he would never fire or prime by foul means, and, taking out a flask in one hand, and a pistol in the other, swore he had as much ammunition

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as would drop them like snipes on the grass; William Nixon came into the house, and took her father by the hand, and said, "Come out, for God's sake, to try and make peace;" saw them for a long time aggravating each other, and then a shot was fired, and then two more; she saw no more.

Cross-examined by Mr. *Schoales.*]—The time she saw no more of it; the fight began; heard her mother say that Mealey was shot at her foot.

By the Court.]—Did not know who shot Rooney.

Jane M'Brien, mother to the last witness, examined by Mr. *Deering.*]—Lives in Macken; was there when the Orangemen came into Macken in July last; and there was an alarm that the Ballymarron Orangemen were coming to murder them, and the people crying what would they do at all; the place was quiet before; saw the people going past the widow Scott's house off; the Orangemen came shouting in a very disturbed way; lived in Ballymarron before that 33 years; some of the Orangemen were armed, and some were not; they went to the further end of the village, and stopped there; they bantered, and called to them, the cowardly rebels, to come down, till they would shoot them at their own doors; one of the party fell on his knee, and one on the road bid him to fire; went into the house, and begged her husband, for God's sake, to go out and flatter the Ballymarron people home; her husband went out, and begged them, for the sake of God, to go home, and have peace in the country; one of them took a pistol out of one pocket, and a flask out of the other, and said he would never go home until they downed the Montagh rebels like snipes; they had ammunition, and plenty of it; one man desired them not to fire until they turned and took their time, and shoot every man out of a face; her house is on the side of the road going to Belturbet; thought one time their would be a molification; bid the Orangemen go away, and soon after a shot was fired; Rooney fell at her foot, and had time to speak to him, when two shots were fired; there was no offence given to the Orangemen; at that time Rooney was shot through the body, that was the first shot she heard; she went into the house when the fight began; after this time there were several shots, and saw two men lying; thought they were wounded, and went to give what assistance she could, and then saw Charley Lunny lying wounded.

Cross-examined by Mr. *Boyd.*]—Saw several processions of Orangemen for the last 30 years; never saw them give offence to any one, nor any one to them; does not know how far it is from Montgomery's to Macken, it may be a mile; never heard that there were any armed Catholics on the hill of Macken before the firing; the police have been looking for the son, but did not find him; the man that went on his knee had a gun; saw them turn at the word, "Come down," take them easy, and shoot them out of the face; cannot swear that the Catholics had arms; there were nine or ten of the Catholic party wounded; there were four of the Protestants killed.

Denis Gilligan, examined by Mr. *Doherty.*]—Lives in the lands of Artina, two miles from Macken; Thomas Montgomery and he were on the lands together that evening; he was not at the battle, and Mrs. Johnstone heard a report of the people of what was doing, by the noise of the people talking; heard the report that they were going to fight at Macken; saw the Orangemen going to Macken through the bog; does not remember one word that passed between him and Cranston that evening; there was no one in the country doing anything.

Humphrey Nixon, examined by Mr. *Doherty.*]—Saw Thomas Montgomery at his own door, about seven o'clock, the evening of the 13th July; heard shots at Macken about two minutes before that.

Cross-examined by Mr. *Schoales.*]—Did not see any one with him; he was alone, outside his house, with his hat off.

Pat Moran, examined by Mr. *Doherty.*]—Was going with Nixon; saw Montgomery at his own house; heard shots before that.

Cross-examined by Mr. *Boyd.*]—It is near two miles from Montgomery to Macken.

Felix Cassidy was working near Ballynaleek on the 13th day of July; lives about two miles from that; passed Montgomery's door; saw Pat Montgomery, the prisoner, then at his father's, a mile and three quarters from Macken; heard shots in that direction at the time.

Cross-examined by Mr. *Johnstone.*]—Was hedging ditches that day; was but an hour walking to Montgomery's from his work.

Henry Cassidy, examined by Mr. *Deering.*]—Is son to the former witness; was with his father on the 13th July, and heard guns firing; and at that time the prisoner, Montgomery, was standing at his (Montgomery's) father's house at the time.

Cross-examined by Mr. *Schoales.*]—Made no remark of the prisoner being there until this morning; told what he has now in court; John Montgomery, brother to the prisoner, was at home that day.

Defence closed at 10 minutes after eight o'clock.

The learned Judge having charged the jury at a late hour, and the jury having retired for about a quarter of an hour, returned a verdict of *Guilty* against Patrick M'Manus, Thomas Montgomery and Patrick Montgomery.

Note.—Sentence of Death was passed, but the prisoners were afterwards respited.

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Copy NOTES taken on the Trial of *Hugh Kerran* for the Murder of *Edward Scarlet*.

Enniskillen Adjourned Assizes, 8th April 1830, Third Day.

THE KING *v.* KERRAN.

Saturday, 10th April.

Petit Jury:—Thomas Wilkin, William Trith, Simon Armstrong, John Beatty, George Graham, Charles Bleakly, James Rankin, John M'Mulkin, Edward Gregg, Phibbs M'Gregor, John Clarken and William Lang.

Mr. *Johnston* stated the case for the Crown.

Lord *Enniskillen*, examined by Mr. *Schoales*.]—Recollects the 13th July; was at home; got information, and ordered Captain Joyce with what police he could collect to follow him to Derrylin, where he saw an immense black cloud, which he was told were people assembled, and saw crowds on the sides of the hills, along the backs of the ditches and in houses; those on the hills were in numbers from 1,500 to 2,000; on the hill they were all armed with some kind of weapons, pitchforks on very long poles, bayonets fixed on poles, and some muskets; was close to the party, and said, "in the name of God, boys what brought you here?" they replied, "to prevent the Orangemen from walking." Witness then asked them if he had ever turned out a tenant for being a Catholic, or as a magistrate and county gentleman showed favour or affection? they replied not. And then said to the people, if they would go away the Orangemen should not walk; they said there was a body in a house below the hill, and he would go to the house they were in, and begged the Orangmen to disperse; the Orangemen said they would, but were afraid of their lives; some did go away, and others remained in the house; did not go into the house; went back to the people on the hill; said the Orangemen were going away, and called on them to perform their word, and disperse; they said there was a body of Orangemen coming towards Derrylin from Belturbet; went to stop them, and sent Lieutenant and Mr. Armstrong on before; came up to them and met them at the cross roads; asked the Orangemen, "in the name of God boys, what brought you here?" they said they came, as they heard the country was up, and came to defend their lives and properties; told them the Catholics had promised to go away and disperse; they said they would do as desired; asked where they intended to dine, and on hearing of the place, desired them to go away then for God's sake, which they instantly did, turning their backs to Macken; then went back to the hill, where the assemblage was; called on them to perform their promise, as he had performed his; they said they would not, as there was an Orange flag under Knockminny; sent and had the flag struck; they then said there was another party coming from Swadlinbar side; rode to them, and found 300 or 400 men coming to join the party on the hill; begged of them to disperse, which they did not, but took a circuit and joined them on the hill; and then Captain Joyce and four or five police came up; then again called on the people to disperse, which they were going to do, when some one said there was one of the party killed; ran to the cross roads; they broke off, and filled the road in crowds; was then about to go home, and was called on not to do so, or there would be lives lost; got on before, and with the assistance of some respectable people and the priest of the parish, got them to disperse; one column of them went up the mountain, and the other towards Swadlinbar; the body coming in that direction were armed in the same way as the great body; saw one body as he was going home going across the bog of Montagh towards Macken, and not a mile and a half from it; this was at six or half after in the evening.

Cross-examined by Mr. *O'Rielly*.]—The Protestants said they came to protect their lives; the Roman-catholics, to his question to the same effect, said they came to prevent the Orangemen from walking. The Rev. Mr. M'Hugh was, to the best of his recollection, with him from the hill, and used every exertion to assist him; the body he met of Orangemen coming from Belturbet were about 120; does think positively, that from the crowd on the hill, it was necessary for the Orangemen to assemble for the protection of their lives; thinks it was not necessary for the Catholics from Leitrim, Longford, the borders of Clare and Donegal to assemble for the protection of their own lives on that day; was called out on the 12th; got a note from Mr. Grattan, to request he would come immediately, as the Catholics were assembling in great numbers to attack the Protestants in Swadlinbar; went part of the way, and when he got to Coffeysford, heard all was over, and the town quiet; declares it is his opinion that the Orangemen would not have assembled on the 13th July last, if it had not been for the assembling of the Roman-catholics; does not wish to say anything he does not know; has heard that Mr. O'Rielly came into town with green ribbons in the horses (Mr. O'R.'s) heads; did not himself come into town with orange ribbons; never heard from any of the people that were at Derrylin that they assembled there from the alarm that prevailed of the Orangemen's intention to walk; saw no flags or Orange processions on that day, the 12th.

John Joyce, Esq., examined by Mr. *Boyd*.]—Was on duty the 13th July last with Lord Enniskillen at Derrylin; saw from 2,500 to 3,000 men armed with muskets, pitchforks, bayonets, turf spades, &c.; parted Lord Enniskillen near six o'clock in the evening; went towards home, passing through Macken on the way; saw from 100 to 120 men come across

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the bog of Montagh; thinks they were of the party who were at Derrylin; as far as he knew, they were armed in the same way; were going towards Macken, and about a quarter of a mile from it; had two police dragoons; the people kept moving towards Macken; asked them where were they going? asked them, did they not promise Lord Enniskillen to go home; they said they were going about their business, and he rode home.

Cross-examined by Mr. *Kernan.*]—Went through the town of Macken between six and seven o'clock; saw no appearance of disturbance; knows the widow Kerran, is mother to the prisoner; never knew of any charge against the prisoner before; did not know of any Orange lodges being assembled that day.

Noble Lindsay, examined by Mr. *Litton.*]—Was at Derrylin on the 13th July; saw then two men he knew among the people assembled, Patrick M'Manus and another M'Manus; Patrick M'Manus was tried and found guilty.

Charles Goulding, examined by Mr. *Schoales.*]—Lived on the 13th of July about half a mile from Macken; was cutting turf on the way to Dromain-bridge; saw a crowd on the lands of Macken on the hill, in the evening of that day; heard shouts, and saw some people running; saw also some people going from Dromain-bridge towards Macken, about 40 or 50; they were walking; did not see any colours with them; they passed on towards Macken; these men had got out of his sight for a little time; saw them then come back quicker than they went; the people on the hill followed this party; heard six or seven shots after the Dromain people were coming back, and saw a crowd of people running after them.

Cross-examined by Mr. *Doherty.*]—Was not with any of the Orangemen on that day; did not see any of the Orangemen that day; does belong to a lodge; attended the lodge on the Sunday, the 12th; did not take a musket to his lodge, nor had any of the men of his lodge muskets on that day.

James Armstrong, examined by Mr. *Schoales.*]—Was at Tonneylommen on the 13th July as an Orangeman, and met about 30; and went from that to Scarlet's to dinner; heard no playing of drums or fifes; it is the usual place for their lodge to dine; dined about three or four o'clock; heard something after that Thomas and George Thompson and —— Crawford proposed going home, and their road was through Macken; in consequence of what they heard, the company among whom they were dining proposed attending them home; he and others got arms; about 30 went to escort them; eight or nine got arms; Macken is near two miles from Gordonaghy; near two miles from Macken was joined on the road by other Protestants or Orangemen; there are a few houses on the hill of Macken, on each side of the road; saw a crowd on the road running from all directions towards a party on the hill to the right of the houses; saw poles with them and colours on them; heard cheers; was in the front of the party with the Thompsons near the little bridge going out of Macken; saw parties coming out of the bog before him, from Montough bog, and caused him and them to return; these men had arms, pitchforks, daggers on poles, &c.; had nothing at this time to defend himself; gave the gun to a boy to carry, was ashamed to carry it till he saw a necessity; ran back with the Thompsons through the village, and ran to the foot of the hill; at that time turned round, and saw throwing at his party; saw then the party to the right coming to cut off his retreat; some of them came down the hill after them; after the stones were thrown, three shots were fired by his party in the air; saw the guns elevated in the air, and the backs of those who fired them were turned to the party who attacked them; at the time of the charge Mealley was intreating for mercy; he was not armed; he was killed; saw him turn round on his heel and throw up his hands, and afterwards found his body; he was killed; after that shots were fired; his party ran for their lives; he ran, but not till he was charged by six men at one time; they were chased a quarter of a mile; the Catholic party were near 1,000; saw Scarlet afterwards in Macken, wounded; went back for his wounded men; saw none of the catholics wounded; there was not any cheering, disturbance or rioting by his party on passing through Macken.

Cross-examined by Mr. *O'Rielly.*]—There was a fife played as they passed through Macken on their way back, a line of music, it was a bar of the Boyne Water; defended himself as well as he could, as also some of his party when the stones were thrown and the charge made; ran on through the party to get his gun; it was loaded with shot and a ball; it was loaded before it was taken out of the house; there were about 15 guns; went to church on Sunday with his body; the Thompsons were of his party; on the way home that evening the Thompsons were chased through Macken; carried their arms to protect themselves in case the peace was broken; he entreated the Catholics not to murder them; the fife did not belong to his party; nor did not see him until he got to Macken Hill; did not run from the party on the hill to the right; did not think they would have attacked them; did not think they were so desperate.

Ann Irwin, examined by Mr. *Boyd.*]—Was at Paddy M'Brine's part of the 13th July, a mile and a half from Macken; saw a crowd running from Gordonaghy towards Macken; got up to them; there were about 40; some of them had guns; on getting to Macken saw a party to the right on the hill; was with the Thompsons and that party; Robert Mealey and Edward Scarlet were with them; went to the top of the hill; Mealey begged for peace, and to let the two Thompsons home; they were afraid to go on, and turned about with the party who were escorting them; there was only a few notes of a tune played when Mealey stopped them; and then the party from the hill came down the hill after them, and saw Robert Mealey stabbed with a fork. Scarlet was trying to make peace; ran a pace back, and on turning round again, saw Scarlet lying on the ground, and blood on his face, and

saw

saw a man while he was down strike him with a spade shaft. The prisoner is the man who struck him, and the blow hit him on the back; saw no more, run away. Scarlet died the next day or the day following. Never saw the prisoner until she saw him in the gaol where she was confined for debt; never saw him until at Macken, it was light at the time; when she saw the prisoner she had no doubt of his being the person she saw strike Scarlet.

Cross-examined by Mr. *Kernan.*]—Lives with her mother, who is sextoness of the church of Derryoolin; assists her mother, who takes in washing; is not an Orangewoman; is a lover to the cause; was in gaol; told Mr. Gellaghty, the gaoler, as soon as she saw the prisoner, that he was the man she saw strike Scarlet. Never heard there was 200 *l.* reward offered for discovering the persons who killed Scarlet. The next day after the affray went home. Was not at the inquest; was not summoned. Heard at Paddy M'Brien's that there was a party going to leave the Thompsons part of the way home; heard two shots fired after the Protestants had returned towards home; it was after the firing of the two shots the engagement took place: when the two shots were fired the guns were levelled in the air; after that Mealey was killed, and saw a shot fired by the Protestants at the Catholics.

Terence Mahon, examined by Mr. *Litton.*]—Was at home on the 13th July; lives about a mile and a half from Macken; went after his two little brothers who had gone with the Orangemen; came up with them near Macken; when there saw M'Brien, who spoke to Glass, and asked what brought him there; he, said, to see two boys part of the way home. Saw a number of people on the hills; and then the Orangemen turned to go home; went with them; they fired two shots when returning, and their backs to the men on the hills; the shots were fired in the air; after this there was an attack made on the Orangemen; the attack was made from the opposite party, who attacked them behind; Mealey was killed; five of the Catholic party were at him at once; would not know any of the party who stabbed him while standing, but would know some of them who stabbed him while lying. Indentifies the prisoner as one who stabbed Mealey with a pitchfork.

Cross-examined by Mr. *Doherty.*]—Went to bring his brothers back; his brothers are not Orangemen, they are little boys; followed to bring them home; was afraid they would be killed; heard no music that day; saw muskets; saw no bayonets; the Orangemen were walking quietly, molesting no one; heard two shots fired, but the battle did not begin then; the shots were fired to alarm the party to run; the other party were after them; was not five yards off when the shots were fired; it would be hard to say whether a gun was charged when he had not her in his hands to snap her; did not come until he was summoned and sent for twice, and the police came for him.

Edward Scarlet, examined by Mr. *Johnston.*]—His father is dead by being beat at Macken; went there with the Orangemen; when they were coming down the hill they fired two shots; the Catholics were following them; the Orangemen ran away; M'Manus knocked his father down with a loy shaft; the first thing after the shots were fired was the Catholics throwing stones; Mealey was holding up his hands, begging for peace, when a man came forward and struck him; there was cheering from the Catholics before the two squibs were fired.

Cross-examined by Mr. *O'Rielly.*]—Does not know who fired the two shots; was looking on at the whole battle; some of the Orangemen ran away; did not present their guns at the Catholics until after Mealey was struck; did not see any bayonets with any of the Orangemen; not a Catholic fell in his view; did not see a Catholic fall; did not see a Catholic wounded; the Protestants and Catholics were through other; thinks it was after Mealey was stuck.

Christopher Carson, examined by Mr. *Schoales.*]—Was of the party at Scarlet's house on the 13th July; went with the party to the hill of Macken; saw a large party over in the fields to the right of the road; his party turned to come home when at the foot of the hill; the party that had been on the hill rushed into the road, overtook them, and attacked them with stones; then commenced sticking them with pitchforks, and as the Catholics were chasing them home, shots were fired by the Protestants; the two first were fired in the air, and the Protestants' backs were then turned to the Catholics and their faces towards Scarlet's.

Cross-examined by Mr. *Doherty.*]—It was for the purpose of conveying the Thompsons home he left Scarlet's; his gun was charged with a ball cartridge; marched to Macken with his gun in his hand and an Orange lily in his breast.

John Quigly, examined by Mr. *Boyd.*]—Was at Macken on the 13th July last, accompanying the Thompsons on the way home; knew J. Scarlet; he is dead; when they got to Macken saw a great number of men on the hill following him in a riotous manner; they were armed with pitchforks and all kinds of weapons; two shots were fired by the Orangemen as they were returning home, with their faces towards Scarlet's; the opposite party rushed on the road throwing stones; saw Edward Scarlet afterwards cut and mangled in the face; saw the prisoner at the bar in the Catholic party that day, with a pitchfork; went down towards where Mealey fell, in the position of a charge; knows the prisoner well; was at school with him; was within 14 yards of him at the time.

Cross-examined by Mr. *O'Rielly.*]—Does not know who were the persons who fired the two shots.

Johnston Hamilton, examined by Mr. *Litton.*]—Recollects the 14th July last; went to see Scarlet; asked him if he wished any settlement of his affairs; he said not; that his master would take care of his family; that he had not many hours to live, and that was the last time he would see him. Scarlet said, "Friend Hamilton, this is the last time you will see me." He replied, "I hope you will be better, and if possible I will be with you to-morrow

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or next day." Scarlet replied, "I will be better in another world;" and then, on being asked if he knew any of the persons who attacked him, he said, "the villians Haughey and Terence Kernan have finished me."

Cross-examined by Mr. *Kirnan.*]—Went to Scarlet's by directions of Captain Gabbet.

William Nixon, examined by Mr. *Johnston.*]—Knew Edward Scarlet; saw him the evening before his death; is brother-in-law to the deceased, who said he was in a deplorable way. Witness said, there was many who were worse had recovered. Scarlet replied, he never would get over his wounds; and died next morning about six o'clock. Asked him if he had any conception of the persons who injured him; he named Hugh and Terence Carron as being them: this was before Captain Gabbet was with him.

Cross-examined by Mr. *Doherty.*—Was at Macken; heard two shots fired; there were stones thrown after, in about six minutes; it was about five or six perches from Macken to where the shots were fired; the persons on the hill were about 60 perches from the shots; the Orange party were overtaken after the two shots were fired; thinks when the party got in the road the space they occupied might occupy five perches. When the Catholic party came up, Mealey put up his hands to beg for mercy, saying they had not any wish to quarrel with anybody; saw Mealey no more until he helped to carry in his dead body. When the two shots were fired, the Protestants had their backs to the Catholics.

William Gabbet, Esq., examined by Mr. *Schoales.*]—Is a magistrate; went to the house of Edward Scarlet on the 14th July last; took his depositions, which he proves, and which is read.

Cross-examined by Mr. *O'Rielly* at great length.

John Nevile, surgeon, examined by Mr. *Boyd.*]—Was called on to see Scarlet by the coroner; there were several wounds on the head inflicted by blunt weapons, and six or seven wounds on the body.

Case closed on the part of the Crown at half-past six o'clock.

FOR THE DEFENCE.

Sally Neal, examined by Mr. *O'Rielly.*]—Lived in Crockareedy on the 13th July last; saw a party belonging to Charley Lunney's lodge of Orangemen, about 3 o'clock in the day, towards Edward Scarlet's; when they came in sight of Edward Scarlet's party, one of the boys took off his hat and called to them to come on, repeated the call and said, "You cowardly rascals, come on!" they were on a hill near Scarlet's without their hats; they turned in and got their hats, and then joined Lunney's party. The latter were about 10 in number; the other above 30: one had a pole, another a grape, and some guns.

Cross-examined by Mr. *Johnston.*]—Saw no pikes nor scythes on poles.

Ally Manely, examined by Mr. *Kernan.*]—Was near Domain Bridge on the 13th July; saw a boy go up the hill, and then saw about 10 Orangemen coming running down; they had no arms; there was many more; and after saw the bogs covered over with Orangemen coming to the road to her master's house; they were all armed, and as they assembled on the road shouted for Montragh rebels; some had handkerchiefs, and some took off their hats and called one another, "Come on! come on!" and kept her eye on them until she saw them into Macken; there were 60 in all.

Cross-examined by Mr. *Schoales.*

James Foley, examined by Mr. *Doherty.*]—Lived in Tullylimminmore in July, about two miles from Macken; saw a number of people armed going towards Macken; saw them go up the hill; they then were returning, and fired two shots; saw no violence offered by any one before the shots were fired; there was another party behind them; the two parties joined, and then formed in line on the hill, and cheered and stepped on the bray. The Catholics came down towards them from the hill, and after that a shot was fired by the Protestants; the two parties then came together, and a succession of shots took place; the second party of the Protestants, they had belts and pouches.

Cross-examined by Mr. *Johnston.*]—Was examined on the first trial, was not on the second; told all the truth on that occasion; could see pouches and belts at 150 yards distance; there were a number of the people on the hill when the shots were fired, and there were people collecting in all directions; it was between three and five minutes from the time the shots were fired until the grand engagement; on the first examination did not say the parties formed into line.

John Quinton, examined by Mr. *O'Rielly.*]—Lived near the bridge of Dromain on the 13th July last; saw a number of persons going towards Macken that day; saw John Price among them, who seized him by the breast and asked him what he was; he replied a Protestant, and that his life was in his hands; Price said he had 60 round of ball-cartridge, and would weigh knee-deep in popish blood while that lasted; others said they would spancel them in their own guts; and then saw another Orange party; they had all arms in the first party, with belts, and pouches and bayonets.

Cross-examined by Mr. *Boyd.*]—Came from Killimane.

Bridget

Bridget Kelly, examined by Mr. *Kernan*.]—Lived near Scarlet's; saw a party armed pass her house on the 13th July; heard them cry out, "No King! no pope! no surrender! and no Parabawn!" heard George Robinson cry out for a papist.

Cross-examined by Mr. *Littow*.

Mary M'Illquin, examined by ———.]—Was living with Sergeant Armstrong near Macken on the 13th July last; saw a number of people, about 100, armed with guns and bayonets, &c.; heard Christopher Armstrong say, if he met any one belonging to her, he would let his puddings out; saw Richard Scarlet snap a gun, and then ask for a pin to prick the gun, and then went off towards Macken, 100 of them, shouting and running as hard as they could; it was between seven and eight o'clock in the evening.

Another *Mary M'Ilquin*, examined.]—Lives near Dermaine Bridge; saw a number of Orangemen on the 13th July armed, going towards Macken; when the party came as far as M'Caffrey's, Robinson waved a stick over his head, crying, "Come on, my boys, come on!" there were several women with them; went with them towards Macken; the party was in a great rage, shouting and hallooing, &c.; met George Robinson; John Price had a gun and bayonet; said to him, "That is an unlawful weapon;" he swore he would lay their puddings by their heels; came within view of Macken, and saw Orangemen in all directions running towards Macken.

Cross-examined by Mr. *Schoales*.]—Does not believe there was any riot or noise till the Orangemen came up, and then fired the shots and saw the smoke; saw them in their retreat down the hill.

Michael M'Manus, examined.]—Kept a public-house on the 13th July within half a mile of Macken; saw then the Orangemen going to Macken; spoke to them, and asked what they were about; the two Lunneys said they were for peace; when the fire began, the Lunneys went on from him, first one shot, then two shots more, and then the firing began; and after the Orangemen retired, after that, saw some odd shots fired along the road; the Orange party were retreating.

Philip Flanigan, examined by Mr. *Doherty*.]—On the 13th July last saw a number of men armed come to his door; one party cried out "No pope! no surrender!" saw Richard Scarlet, and three of the name of Lunney with him, on the road at a little distance. Richard Scarlet said he did not know what brought them there, if it was not something of a challenge from his country. Thomas Armstrong after this came to him running with a pistol in his hand, swearing he would blow the contents of it through him, and made a second offer with the pistol at him, and Lunney went to Scarlet's assistance to prevent him; another person came up and carried Armstrong away, inquiring why was he there, and not with the body of the men; Armstrong then went on, and Scarlet asked him to go with him, to see how the business would end, and then went on with the Lunneys within six perches of Macken Hill; saw some of the men running back down the hill; all the boys then stood on the road, and called for the cowardly dogs to come down that were on Macken Hill; and on that 10 or 15 came down from the hill at first; heard one shot fired first, and then three immediately after, and then the attack began.

Cross-examined by Mr. *Litton*.]—There were 60 or 70 Protestants, many of them armed.

Samuel Price, examined by Mr. *O'Rielly*.]—Lives in Tunninghammore; remembers the 13th July; dined at Scarlet's, drank some liquor; there might have been more liquor sent for; there were two of the men who dined at Scarlet's, in consequence of the disturbed state of the country, were afraid to go home alone; did not give any testimony as to what induced the parties to require protection home; went after the party towards Macken, to see if there would be any danger; told them if they were to go quietly and modestly, and not to give offence to any one, but to take some arms with them.

Cross-examined by Mr. *Johnston*.]—The Thompsons dined at Scarlet's; Macken was their way home; there was a report that there was a number of men at Derrylin; did not think the report so bad as it turned out after.

Jane Kerran, examined.]—Has lived for 23 years at Macken; saw a great number of persons coming to the town in the evening of the 13th July last, armed; passed her house in a very riotous bad manner, with a great many bad speeches, saying, "No King! no pope! no Lough Derry!" and that is no surrender; all the people of the town, except herself and another woman, became so frightened, that they went all from their houses with their families; after this, heard the Orangemen shout to the people on the hill to come down for cowardly rascals, until they would spancel them in their own guts; saw John Glass, an Orangeman, level his gun and fire at Billy Rooney, who fell, and then there were two shots as quick as thought; after that, two men desired the Orangemen to go home, they had no call for them; and then the shots came as quick as possible after that.

Cross-examined by Mr. *Litton*.]—Her other son is not in the country; the man on trial is her son; her other son is accused of the murders.

Thomas Maguire, examined by Mr. *Doherty*.]—Was at Macken on the 13th July last, and the alarm by the Orangemen coming into town made the women and children leave the house and go to the hill, where they stayed until the Orangemen retreated home again; heard a shot fired from the other side of the hill; saw Orange lilies, he thinks, in their waistcoats; there were other shots fired, and there were 40 of the Catholics came down; run at the Orangemen; first about 15, then about 40.

Cross-examined by Mr. *Schoales*.]—Does not know how many more remained on the hill.

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Mary M'Brien, examined by Mr. *O'Rielly*.]—Heard shouts of the Orangemen coming in a very desperate manner, shouting for Monlough rebels; knew James Lunney, and asked him to turn the men home; some swore and tore, and one of them, with white trowsers, shook a handkerchief, and shouted to them, for cowardly rebels, to come down till they would kill them like dogs at their own doors; another went into the field, levelled his gun, and fired a shot; she spoke to Christie Armstrong to take the Orangemen home, and after that the Orangemen came down, aggravating and threatening them; heard a shot, and then a second, and a third.

Cross-examined by Mr. *Boyd*.]—Has often seen Orangemen, but never before saw Orangemen come in that riotous way.

Defence closed at a quarter past 10 o'clock.

Judge Vandeleur then commenced his charge, and at five minutes to 12 o'clock not having concluded, the Court adjourned to 12 o'clock the next night, Sunday morning then coming in.

Monday, 12 *April* 1830.—At half-past eight o'clock this morning, the judges having taken their seats on the bench, and the jury having been called into Court, Judge Vandeleur commenced to address the jury by beginning to read over the evidence on the part of the prisoner (although he had gone through part of it on Saturday night), informing the jury that it was better to do so, as by that course it would be better connected than by reading over only the remainder part of what he had not time to go over on Saturday night.

The learned judge concluded his charge at five minutes to 10 o'clock, when the jury retired, and in 10 minutes returned with a verdict of Guilty.

Note.—Sentence of death was passed, but he was afterwards respited.

Copy DEPOSITIONS and PROCEEDINGS taken before *William Trotter*, Esq., Coroner, on Inquests held on the Bodies of *Robert Mailey, Edward Scarlett, George Price* and *James Robinson*, at the Inquests held on the 14th and 15th of July 1829.

Copy DEPOSITIONS taken at an Inquest held before *William Trotter*, Esq., Coroner, on view of the Body of *Robert Mailey*, at Tunnyleemin, the 14th day of July 1829.

1st Witness.—*Edward Armstrong*, being sworn, deposeth, that he went in company with the deceased to Macken, for the purpose of bringing back a party on the 13th instant, who accompanied a few friends who dreaded an attack on the road between six and seven o'clock in the afternoon in the said lands of Macken, when and where deponent saw upwards of 1,000 persons armed with pitchforks, pikes, scythes and sticks, &c.; saith that the party (whom deponent and deceased went to bring back) consisted of between 50 and 60 persons, a few of whom had guns and bayonets; the deceased had not any arms. Two shots were fired in the air by some of said armed party on their coming back, upon which the opposite party surrounded and attacked, at which time deponent parted with the deceased, and in about five minutes after, saw the deceased lying dead, and on the back of a man, who was carrying him: deponent saith he saw Daniel M'Manus, who was armed with a pitchfork, and who resides, as deponent has heard, at Culthorne, in the said county of Fermanagh, and also Thomas M'Brien of Macken aforesaid, who was in front of said party who were so riotously assembled.

2d Witness.—*James Armstrong*, being sworn, deposeth, that on the evening of the 13th July, deponent was at Macken in said county, where he saw a large party of persons riotously assembled, who were variously armed with pitchforks, scythes, pikes, sticks and so forth; deponent saith he saw among the said riotous party Daniel M'Manus, who was armed with a pitchfork, and Francis M'Bryne; saith he saw a number of stones thrown from said riotous party, after which two shots were fired in the air by the party who were with deponent; saith that the party who were with deponent then retreated, when they were instantly pursued by said riotous party, who at that time amounted to 1,000 persons in number. The deceased was of deponent's party, who deponent saw in a peaceable manner supplicating the opposite party for peace; saith that in about 15 minutes after, saw the deceased Robert Mailey dead, carrying on the back of a man named John Carson.

3d Witness.—*James Lunny*, being sworn, deposeth, that on the 13th instant, he was present at the townland of Macken, about the hour of six o'clock, when and where the deceased Robert Mailey was killed; and when said deponent saw a large party armed with pikes, scythes, pitchforks, bayonets, sticks, &c. and that Pat M'Donagh, son of Pat M'Donagh of Dorra, and James Kernan, of Murtagh, were amongst said riotous party; saith that said M'Donagh had a pitchfork.

4th Witness.—*Robert M'Bryan*, being sworn, deposeth, that on the 13th July he was in the townland of Macken about the hour of six o'clock, when and where he saw a large party armed with pitchforks; saith that Andrew Cassidy and Terence Carron, both of the townland of Macken, were in said party, and one M'Donagh, of Dorra, whose Christian name he believes to be Michael, all of whom had pitchforks.

5th Witness.—

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5th Witness.—*John Neville*, being sworn, deposeth, that he is a surgeon; saith that after examining the body of the deceased, he is of opinion that the said deceased came by his death by different wounds inflicted on his body and head, and that the principal wound was inflicted on the left side of the chest, and that said wound was inflicted by some sharp instrument.

6th Witness.—*Thomas Cassidy*, being sworn, deposeth, that on Monday the 13th July instant, he was in the townland of Island of Inishmore, about the hour of six o'clock, when several messengers came to said island, and reported that there was a rebellion at Ballymanane, and that the Protestants were murdering; deponent saith, that he and a few others went from the island to the townland of Macken, when he saw a great number of persons riotously assembled, who were armed with large sticks with spears on the top, and with spades, pitchforks, &c.; saith he saw amongst said persons Terence Carron, of Macken, that he had a long pitchfork in his hands, with which he stabbed Robert Mailey under the left breast, of which he died, as deponent verily believes.

VERDICT OF THE JURY.

"WE find that the deceased Robert Mailey came by his death by being wilfully murdered by different wounds inflicted on his body and head, and that the principal wound was inflicted on the left side of the chest with some sharp pointed instrument or weapon, by some person or persons unknown, on the 13th July instant, in the townland of Macken, between the hours of six and seven o'clock in the afternoon, of which wounds he instantly died. And we find that Daniel M'Manus of Cultim, Francis M'Bryan of Macken, Patrick M'Donagh of Dorra, James Kiernan of Murtagh, Andrew Cassidy and Terence Carron, both of Macken, and Michael M'Donagh of Dorra, were all accessaries, aiding and assisting in the murder aforesaid."

Copy DEPOSITIONS taken at an Inquest held before *William Trotter*, Esq., Coroner, on view of the Body of *Edward Scarlett*, deceased, at *Gortdonaghy*, on the 15th day of July 1829.

1st Witness.—*Thomas Cassidy*, being sworn, deposeth, that on Monday evening the 13th July instant, about the hour of six o'clock, deponent was in the Island of Inishmore, when and where several messengers came and stated, that the Protestants were all murdering at Ballynamane; deponent saith, that he accompanied a few neighbours to the townland of Macken, where he observed a great number of persons who were riotously assembled and armed with pitchforks, spears, spades, stones and other weapons: deponent saith he saw a man named M'Manus of Dumbach, or Derryliolough, whose Christian name, he believes, to be Pat, and whom he could identify, strike the deceased Edward Scarlett, with a lag or spade on the head, and knock him down: saith the said deceased was endeavouring to make peace when he was so knocked down: saith that the deceased had not any weapon of defence; deponent saith he saw amongst said party several persons whom he knew, viz. Francis M'Brien, Terence Carron, James M'Bryan, and M'Donagh of Dorra, who had a lag shaft in his hand.

2d Witness.—*William Lunnin*, being sworn, deposeth that he was in the townland of Macken, on the 13th July instant, about the hours of six and seven o'clock in the evening, where he saw a large party of persons riotously assembled, and who were armed with pitchforks, stones and other offensive weapons; deponent saith he saw amongst said riotous persons a man named Thomas Montgomery, of Artanagh, who had a pitchfork or pike in his hand.

3d Witness.—*John Neville*, surgeon, being sworn, deposeth, that he examined the body of the deceased Edward Scarlett, and is of opinion that the deceased came by his death by repetition of blows inflicted on his back and head, with some heavy blunt weapon or stones.

VERDICT OF THE JURY.

"WE find that Edward Scarlett, the deceased, came by his death by being wilfully murdered by different blows inflicted on his head and body at Macken, in said county, on the 13th July instant, about five o'clock in the evening; and that one Patrick M'Manus, of Derryhologhly, was a principal in said murder with a loy and spade; and that Terence Carron, Francis M'Bryan, James M'Bryan, —— M'Donagh and Francis Montgomery, were accessaries aiding in committing said murder."

Copy DEPOSITIONS taken at an Inquest held before *William Trotter*, Esq., Coroner, on view of the body of *George Price*, on the 15th day of July 1829.

1st Witness.—*John Price*, being sworn, deposeth, that he was present in the townland of Macken on the 13th July last, between the hours of six and seven o'clock in the afternoon, when and where he saw a large party of men in a riotous manner, armed with pitchforks,

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stones and offensive weapons; saith he saw the deceased George Price, father of deponent, knocked down with a stone, and after being knocked down, he saw another man stab the deceased with a pitchfork in the head, of which wound said George Price died on the morning of the 14th; saith he did not know any of the said riotous party but Francis M'Bryan, who appeared to be the leader of said party, who encouraged and gave signal with his hat to said persons to come forward.

2d Witness.—*John Neville*, surgeon, being sworn, deposeth, that he examined the body of the deceased, George Price, and is of opinion, that the deceased came by his death by a fracture on the parietal bone in the upper part of the scull, and that said fracture was caused by the stroke of a stone, or some blunt weapon.

VERDICT OF THE JURY.

"WE find that the deceased, George Price, came by his death in consequence of wounds received on his head, the principal one by a fracture on the parietal bone on the upper part of the scull, in the townland of Macken, on the 13th July inst., by a person to us unknown, of which fracture he died on the 14th instant at Tunnyhunnie, and we find that Francis M'Bryan was accessary to the murder of the said George Price."

Copy PROCEEDINGS taken at an Inquest held before *William Trotter*, Esq., Coroner, on view of the Body of *James Robinson*, on the 15th day of July 1829.

1st Witness.—*John Robinson*, being sworn, deposeth, that he is brother to the deceased, James Robinson, and saith he was in the townland of Macken on Monday the 13th July inst., between the hours of six and seven o'clock in the afternoon, when and where he saw a great assembly of riotous persons, who were armed with pitchforks, spades, stones and various other offensive weapons; saith his brother, James Robinson, received several wounds from said party on both sides of the belly and head, by which wounds he died on the 14th instant; saith he did not see any of said persons but Edward M'Caffray, of Derryaman, who had a pitchfork in his hand, but saith he did not see him strike or stab the deceased.

2d Witness.—*John Neville*, surgeon, being sworn, deposeth, that he examined the deceased, James Robinson, and is of opinion that the deceased came by his death in consequence of wounds inflicted on his body and head, one of which was inflicted on the right side of his chest by a bayonet or some sharp pointed instrument, and one on the frontal bone by a stone or some blunt weapon, either of which was sufficient to cause death.

VERDICT OF THE JURY.

"WE find that the deceased, James Robinson, came by his death in consequence of wounds inflicted on his body and head, the principal was one on the right side of his chest by a bayonet or some sharp pointed instrument, and one on the frontal bone, inflicted by a stone or some blunt weapon, either of which was sufficient to cause death, and which wounds were inflicted by some person or persons unknown, at Macken, on 13th July instant, about the hour of six o'clock in the afternoon, of which wounds the said James Robinson died on the morning of the 14th July following at Clennarson; and we find that Edward M'Caffrey, of Derrynaman, was accessory to said murder, and aiding and assisting."

Copy INFORMATIONS of *John Glass* of *Killywilliam*, taken before Lord *Enniskillen*, 21st day of April 1834.

STATES, that on the evening of the 13th day of July 1829, a large number of men assembled on the lands of Macken in said county, armed with pikes, scythes fixed on poles, pitchforks and a gun, who in a most savage manner inflicted a great number of mortal wounds on the bodies of Robert Mealey, Edward Scarlett, James Robinson and George Price, all of whom died of said wounds; and deponent further swears, that Daniel M'Manus, of Derawarra or Montagle, then being of that party, inflicted a most dreadful wound in this deponent's breast; that he was also wounded on the head and thigh by the same party at the same time; and that Edward M'Cawley, of the neighbourhood of Macken, was also of that murderous party, and armed with a pitchfork.

Copies of INFORMATIONS of *Jane Kerran* and others, taken before *William Gabbett*, Esq. the 9th March 1830; charging *John Glass* and others with shooting at and wounding *William Rooney*, on the 13th July 1829.

Copy INFORMATIONS of *Jane Kerran*, widow, of *Macken*, taken before *Wm. Gabbett*, Esq.: 9 March 1830.

STATES, that on the 13th of July last, about the hour of seven o'clock in the evening of the said day, she observed a large party of persons, amounting in number to 60 and upwards,

wards, armed with guns and fixed bayonets, coming from the direction of Gordonoughy and its neighbourhood; that said party riotously proceeded thence to the townland of Macken, in the said county, where this informant then and there lived and resided. Informant saith, that a number of the said persons so armed as aforesaid riotously passed by informant's house, and without any provocation given by any person to them she heard the said party cry out and make use of the following declarations: "No King, no Pope, no Loughderg;" and another of the said party crying out at the same time, "that is no surrender," Informant further saith, among the said party she saw Thomas Armstrong, of Drummaine, the son of the late George Armstrong, and John Glass, of Killuvillan, miller; she further saith she then and there saw the said John Glass present a loaded gun at one William Rooney, without having received any provocation from the said Rooney; and that he, the said John Glass, then and there took deliberate aim at the said William Rooney, and fired the said gun at him, by which he was severely wounded, the ball having passed through his body; that the said Thomas Armstrong was one of said party when said shot was fired.

Copy INFORMATION of *Jane M'Brien*, of *Macken*, taken before *William Gabbett*, Esq., 9th day of March 1830.

STATES, that she knew several persons assembled and composing said riotous party at Macken on said day, armed with guns and fixed bayonets, namely, William Lunny, of Tullylummon, James Lunny, of Tully, Charles Lunny, of Crockaready, John Boid, of Derrynick, William Scarlett, of Gorclougheny, Robert M'Brien, of Tullylummon, all being of the number of said party, armed as aforesaid, when Ignatius M'Manus, Francis M'Manus, Thomas Keenan and Terence Maguire were wounded by the firing of ball cartridges from said party.

Copy INFORMATIONS of *Philip Flanaghan*, of *Derryholagh*, taken before *Wm. Gabbett*, Esq., 9 March 1830.

STATES, that on the 13th day of July last, about the hour of seven o'clock in the evening of the said day, he observed a large party of persons, amounting in number to 60 and upwards, several of whom were armed with guns and fixed bayonets, coming from the direction of Gordovoughey; that the said party riotously proceeded thence to the townland of Macken, in the said county; saith, that a number of the said persons so armed as aforesaid riotously passing by informant's house, and without any provocation given by any person to them, he heard the said party cry out, "No pope, no surrender," or words to that effect. Informant further saith, he heard several persons composing the said party, of whom John Carson, of Drumbargey, George Robinson, of Tullylunnon, and William Lunny, of Tullylunnon, were crying out, "You cowardly dogs, come down from the hill; are you afraid to face us; come back you Mountcaugh rebels;" or words to the like effect; and saith he saw the said party fire several shots.

Copy INFORMATIONS of *Thomas Maguire*, taken before *William Gabbett*, Esq., 9 March 1830.

STATES, that he knew several persons assembled and composing said riotous party at Macken said day, armed with guns and fixed bayonets, namely, William Scarlett, of Gordonaughey, John Scarlett, of Rossawaulla, Samuel Armstrong, of Tonylummon, Robert M'Brien, of same, William Nixon, of Derryinch, and William Leonard, of Tornylummon; all being of the number of said party, armed as aforesaid; when William Rooney and Ignatius M'Manus were wounded, together with several persons.

Copy INFORMATION of *Wm. Rooney*, of *Inishmore*, taken before *William Gabbett*, Esq., 9 March 1830.

STATES, that on the 13th day of July last, a large number of persons had, as informant is informed and believes, being assembled at Gorldaughey, in the said county, and that on the evening of said day the said persons, armed with guns and fixed bayonets, riotously proceeded from thence and arrived in the townland of Macken, where this informant then resided, about seven o'clock in the evening, when and where informant heard a person of the name of Christopher Armstrong, of Drumain, being one of the party assembled as aforesaid, making use of the following declaration; that is to say, "Damn my soul, if we shall return home until we shall spill popish blood, and spancil the papists with their own guts," or words to that effect. Informant further saith, he heard several persons composing said party who were present, but unknown to informant, cry out in these words, or in words to this effect, "Where are the Macken or Muntaugh rebels, until we shoot them. Informant

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further saith, while he was then standing at his master's door in the said lands of Macken, he observed a man of the name of John Glass, of Killuvillen, miller, present a loaded gun at informant, and without any provocation given to said John Glass by this informant; he then, said John Glass, took a deliberate aim at him, informant, and fired the said gun at him with intent to kill and murder him. Informant further saith, that the ball fired at him from said gun passed through informant's body, by means of which informant was severely wounded, and for recovery from the infliction of said wound he was confined in an hospital for a considerable time: saith, that the remainder of the party of which he the said John Glass formed a part fired several shots in the said lands of Macken at the persons there present, who were principally inhabitants of the townland of Macken aforesaid, by which several of said persons were wounded. Informant saith, that he was fired at and wounded as aforesaid previous to any provocation or resistance being given by himself or the inhabitants aforesaid: saith, that immediately after such occurrence he informed William Gabbett, esq., a magistrate of this county, of the said transaction, but received from him no informations for the same.

— No. 3. —

MAGHERA CASE.

COPIES of Papers connected with the *Maghera* Case in July 1830.

STATEMENT respecting the Riots which took place at *Maghera*, in the County of *Londonderry*, on the 12th, 13th and 22d July 1830.

No. 3. Maghera Case.

The following Statement is made by Mr. *Tierney*, from the information he received from Mr. *Crossley*, Chief Constable of Police, and others, on the 30th July 1830.

IN order to explain some circumstances connected with the late transactions at Maghera, it is necessary to observe, that on the 13th day of July 1829, riots took place at Drumard Hill, near Maghera, on the road to Ballybeg, for which prosecutions were instituted, and some of the Roman-catholic party convicted at Derry summer assizes 1829.

As to the late transaction, Mr. Crossley, the chief constable of police, on the 3d July was waited on by two men, one a Roman-catholic, and the other an Orangeman, who informed him that the Ribbonmen meant to collect at Drumard on the 12th July to oppose the walking of the Orangemen, and recommended measures to be taken to prevent the meeting of either party. Mr. Crossley reported the circumstance to the local magistrates, and to the inspector-general of police.

In consequence of this information, it is presumed, military parties were ordered to Maghera and Castle Dawson to aid the civil power to prevent riots on the 12th July.

Early on the morning of the 12th July Mr. Crossley received information that a party of men styling themselves Ribbonmen were assembled at Drumard Hill, the place where the riots took place in 1829, as before stated; whereupon he rode out, accompanied by the officer commanding the military party at Maghera (Captain Mitchell of the 64th regiment), and saw a large body of men, 700 or 800, on the hill to the right of the road, and addressed them, and asked their object for meeting and assembling there; they replied the object was to prevent the Orange party passing through Dromore. Mr. Crossley informed the party that the magistrates had determined to prevent the Orangemen marching; the party replied that if that was effected they would disperse quietly; this party of Ribbonmen, or roman-catholics, were armed with pistols, pikes, &c. Mr. Crossley then returned to Maghera and reported the circumstances to Mr. Knox, who took his depositions on oath, and gave orders to the military to march to Drumard Hill for the purpose of dispersing the party there assembled. Mr. Knox and Mr. Crossley accompanied the party, and found the Roman-catholics assembled on the other side of the road from where Mr. Crossley had seen them before; they were drawn up in line.

Mr. Knox ordered the millitary to halt within about 200 yards of the Roman-catholic party; he and Mr. Crossley rode up to them. Mr. Knox addressed them and entreated of them to go home. Mr. Knox thought it right on finding such an assemblage to read the Riot Act, which he accordingly did, and thereupon the several parties dispersed in various directions under their respective leaders.

Mr. Knox and Mr. Crossley, with the police and millitary party, marched back towards Maghera to prevent the Orangemen from assembling; on their way they heard the Orangemen were assembled at Knockloughran, a village about two miles from Maghera in another direction, where they proceeded and explained to the Orange party then assembled (and who were armed, and had several colours flying) what had occurred at Drumard; that the Roman-catholic party had dispersed, and that Mr. Knox had promised them that the Orangemen would not march to Drumard that day. Mr. Knox then received the pledges of the leaders of the Orange parties that they would proceed in that direction; and in fact they undertook not to march at all that day.

At the same time a report reached the Orange party that Mr. Knox was then addressing that the Bellaghy Orangemen were coming to Drumard; whereupon Mr. Knox with Mr. Crossley

Crossley went towards Drumard to prevent the meeting of the Orangemen approaching from Bellaghy and the other party that were dispersing from Drumard. On their arrival at Drumard they found the report was not correct, and they believed the report proceeded from some friends of the Orange party to induce them (Mr. Knox and Mr. Crossley) to leave the party at Knockloughran, and this belief was confirmed by finding on their return the Orangemen marching in a body from Knockloughran towards Drumard. Mr. Knox then gave Mr. Crossley directions to proceed to the Orange party, and that if the Orange party did not disperse he would order the military to fire on them, which Mr. Crossley accordingly did, and informed them of what directions he had received; whereupon the Orange party stopped until Mr. Knox and the military came up. Mr. Knox read the Riot Act, and ordered them to disperse, which they did with reluctance, and returned towards Knockloughran where they fired several shots in view of Mr. Knox and his party. Shortly after the Orange party entirely dispersed from Knockloughran, but before they dispersed Mr. Crossley prevented the murder of a Roman-catholic, who got by accident amongst them, and who would have been murdered if Mr. Crossley had not rode in amongst them and seized upon a gun in the hands of a man, who said he would put a ball through the Roman-catholic. Mr. Crossley, after rescuing the man, desired him to get away as fast as he could. Mr. Knox and the military remained at Knockloughran until after five o'clock, when he thought all was quiet; then he ordered the military to return to Maghera, where he apprehended that some rioting would take place. After the military had left Knockloughran a report came that the Bellaghy Orangemen had got to Killard, the next townland to Drumard, and were firing on the Roman-catholics or Ribbonmen, who were in turn firing on the Orangemen.

Mr. Knox and Mr. Crossley received several reports in the course of the day which turned out to be incorrect, and in consequence did not give credit to this last report, which will account for Mr. Knox not ordering the military to attend him to Killard. Mr. Knox and Mr. Crossley rode towards Killard with a single mounted policeman; on their way they found parties of women and children on the road running away from their houses; they rode between the two parties, and were actually between the two fires, and were in great danger. They came to where the Orange party were assembled, who were addressed by Mr. Knox, and who again read the Riot Act; and after some time he was able to prevail on them to return to Bellaghy, which they did slowly and reluctantly.

Mr. Knox thereby prevented the meeting of the two parties; however, many of the party afterwards were seen breaking through the fields towards Killard Hill.

It is to be observed, that before the Orangemen would agree to return to Bellaghy they made it a request that Mr. Knox would get the Roman-catholics to disperse.

Mr. Knox and Mr. Crossley then rode up to the hill, where a portion of the Roman-catholics whom they had seen in the morning were assembled, and which they believed were the people residing in the immediate neighbourhood, Mr. Knox informed them that he had read the Riot Act, and that the Orangemen had dispersed, and called on them to disperse also.

At this moment a party of Orangemen, that were dispersed at Killard Hill, appeared and opened a fire on Mr. Knox and Mr. Crossley, and the Roman-catholic party that they were addressing, which was returned by the Roman-catholic party, and Mr. Knox and Mr. Crossley were again placed between two fires.

The Roman-catholics or Ribbonmen that Mr. Knox and Mr. Crossley were addressing then dispersed in various directions, but fired in all directions they could at the Orangemen, who returned the fire.

Mr. Knox seeing that he could do no good, and apprehending rioting in the town, returned with Mr. Crossley to Maghera; they left a mounted policeman behind, to let them know what was doing, who soon after joined them and said all was quiet.

Mr. Knox and Mr. Crossley rode to Drumard Hill between 11 and 12 o'clock at night, and there heard that some Roman-catholics' houses had been attacked and burnt; and they heard that the Castle Dawson magistrates and military were out, and afterwards heard that some Orangemen were taken prisoners; and it appears that those persons taken were inhabitants of Maghera and the neighbourhood, who it was said went to assist some of their brothers that they heard were attacked by the Roman-catholics.

It appears pretty certain that if the Bellaghy Orangemen had not advanced towards Killard that matters would have ended without any great mischief on the 12th July in the neighbourhood of Maghera.

The Statement of what occurred on the 12th July, at *Castle Dawson*, and that Neighbourhood, which includes *Bellaghy*, is to be taken from the Magistrates themselves.

On the 13th July, Mr. Knox and Mr. Crossley attended at Magherafelt quarter sessions, where they saw in custody 26 or 27 Orangemen, who were taken in arms the night before by the magistrates and party at Castle Dawson, near where some Roman-catholics' houses had been burnt; and some of those persons were afterwards charged with being concerned in setting fire to the house of a man named Farrell, on the night of the 12th. All the parties were held to bail, and the magistrates appointed Thursday the 22d July for an investigation of all the transactions of the 12th.

On the 22d July all the persons charged attended at Magherafelt.

The magistrates present were, Rev. J. S. Knox, Mr. H. B. Hunter, Mr. R. Miller, Mr. John Sheil, Rev. Robert Alexander.

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Upon a very particular examination of the transaction that took place on the day and night of the 12th, and on the information of James Farrell, a Roman-catholic, whose house was burned, the magistrates decided on committing to prison the following persons charged with the burning of said Farrell's house; viz., Bartly Kennedy, Daniel M'Peake, William Boyd, John M'Neill, all of Bellaghy; William Magree, David Dixon, of Drumlamph; and Jonathan Monaghan, of Old Town.

And to admit the following persons to bail, charged with aiding, after the house was on fire, in its destruction; viz., John Orrell, of Cartragh; Isaac Fleming, of Ballymacross; Whiteside Bruce, Alexander Miliken, and William Henderson, of Drumtample, James Johnstone, of Slatterbogue; James Scott and William Orr, both of Maghera.

It is to be observed, that previous to the burning of Farrell's house, his wife and children (as also the families of many others) had left their houses, and sought refuge and protection at some distance; and therefore Farrell is the only person to make information as to the fact or identity of any of the parties, but Mr. Crossley and several of the magistrates saw the ruins of the house after it was burned.

It is also to be observed, with respect to his identifying the persons, that there are two persons of the name of Dickson, Orangemen; one of them was first produced before Farrell, who immediately said he was not of the party; the other Dickson (who is in custody) was then placed amongst several persons, and Farrell immediately pointed him out as one of the persons concerned in burning the house.

Mr. Knox, as chairman of the magistrates' meeting, made known the decision; the court-house was crowded and filled with Orangemen, some of whom attended on account of the investigation, and others who were attending the funeral of an Orangeman that day at Magherafelt. A cry of rescue was raised before Mr. Knox had finished explaining the decision of the magistrates, and a great body of persons rushed towards the dock to enlarge the prisoners, and forced open the door. Mr. Crossley jumped into the dock, and put himself, with the police, between the prisoners and the rescuing party, and swore the prisoners should not be rescued; however, as it appeared to the magistrates to resist would be vain, the prisoners were rescued; but it is right to say that the prisoners, or the greater part of them, endeavoured to prevent the rescue, and those that were set at large came back and surrendered themselves; those that the magistrates refused bail for were committed to prison, and the others have given bail.

Informations have been sworn to as to the rescue, and several persons charged have been arrested and given bail.

With respect to the meeting of Orangemen in Maghera in the morning, Mr. Crossley made an information. By the desire of Mr. Knox, he went up to a party of Orangemen assembled round a flag, and required them to disperse; they said they would not, and one of them produced a document in a frame and glazed, which he said was the warrant and authority for them to meet; Mr. Crossley took the warrant in his hand, and it was immediately snapped away by some of the party; Mr. Knox then came up and read the Riot Act, (this was the first time the Riot Act was read for the day). Mr. Crossley recognised before and after the Riot Act was read, William Orr, Joseph Sloss, William Porter, and a man named Moor; the names are mentioned in Mr. Crossley's information, and it is also stated that he saw three of them, viz., Sloss, armed with a pitchfork, Orr also armed, and Porter with an orange pole. It appears that on the night of the 12th July the magistrates at Castle Dawson, Mr. Hunter and Mr. Sheil, assisted by the military, took several stand of arms from the Orangemen, which were delivered to Mr. Crossley, who deposited them in the bridewell of Magherafelt, and had them locked up in the cells.

It appears that Mr. Hunter, at the time the arms were taken, made a promise to the Orangemen that he would return them to the owners.

At the time of the rescue in the court-house of Magherafelt there was a general cry through the court that the arms should be given up; and upon consultation amongst the magistrates, and that feeling resistance would lead to bloodshed, and that the arms would be taken by force, the police force present not being sufficient to resist the mob that seemed determined to take the arms, and because the magistrates wished to act, or appear to act, upon the promises made by Mr. Hunter, that the arms should be given up, it was agreed that they should be returned; and they were then taken away by the Orangemen, who proceeded through the street, firing shots, beating drums and colours flying.

It is to be observed, that except the informations of Farrell, whose house was burned, there is no information made or offered by either of the party concerned on the 12th agains each other. Mr. Knox and Mr. Crossley knew some of the Roman-catholic party, but as they had agreed to disperse, and did disperse when desired by Mr. Knox, he did not think it necessary to take any further proceedings against them.

It appears that the Orangemen were disposed to resist the authority of the magistrates, and that they considered that their warrants to assemble and hold Orange lodges authorized them to meet and march in procession, in opposition to the magistrates' authority.

With respect to the rescue, informations have been sworn by a policeman named John Irwin, identifying two of the persons concerned, and a man named Mathew M'Clean, or Mackerlain, has sworn informations, and identifies several persons concerned in the rescue, who have been arrested and admitted to bail.

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The following Statement has been furnished by Mr. *Hunter*, to complete the account of the Transactions of the 12th July 1830.

In consequence of an application to Government by the magistrates, two companies of the 64th regiment arrived on the 9th and 10th July instant, one at Castle Dawson, the other at Maghera.

On the morning of the 12th, about eight o'clock, one of the companies, under the directions of the magistrates, proceeded to Bellaghy, where it was understood the Orangemen would assemble for the purpose of walking in procession through the townlands of Drumard and Gullahluff, at which places it was supposed the Ribbonmen would be assembled to oppose them. At one o'clock, the Bellaghy Orangemen, joined by several other lodges of Orangemen from Magherafelt, Castle Dawson, Pinisrick, Tamlaght, Kilrea, and other places, amounting in all to about 600 men, completely armed with guns and other weapons, attempted to get down upon the direct road to Drumard.

The military were stationed there, and the magistrates had an interview with the masters of the different lodges, and reasoned with them upon the folly of attempting to proceed in the face of a body of soldiers, and requested them to go quietly back to their respective lodge-rooms, and after refreshing themselves to return home, and they offered them any protection for so doing; to this the Orangemen consented after a great deal of difficulty, and after the Riot Act was read, and they pledged themselves solemnly that if the magistrates and the military went towards Drumard and dispersed the Ribbonmen, that they (the Orangemen) would remain at Ballaghy; to this the magistrates agreed, and marched the military towards Drumard.

Prior to this the magistrates at Maghera, with the police, had been with the Ribbonmen at Drumard, amounting perhaps to 600 or 700 men, partially armed; and upon his assuring them that the Orangemen would not march that way, and giving them his advice to go quietly home, they did so.

When the military and the magistrates from Bellaghy had arrived at Drumard, there was no person to be seen, the country perfectly quiet, and they returned back again to Bellaghy to assure the Orangemen of this. On their way back, about a quarter of a mile from Bellaghy, they were met by the whole body of Orangemen (in defiance of their solemn promise) with drums beating, colours flying, and every appearance of excitement and intoxication; and it was not until they came up to the bayonets of the soldiers that they could be prevailed upon to stop. The magistrates then assured them that the Ribbonmen had all dispersed, that everything was quiet at Drumard, and they entreated them to return to Bellaghy. A scene then occurred, the most frightful and disgraceful ever witnessed; no one who has not seen a drunken mob of at least 700 men, armed, excited, and out of uniform, can conceive anything like it; the Orangemen pressed on with shouts and imprecations; many shots were fired by them in the rear, and an attempt made to overpower the military; the magistrates again read the Riot Act, and the soldiers were ordered to charge bayonets; after a struggle of about half an hour, during which the Orangemen did everything in their power to insult and intimidate the magistrates, they were forced back to Bellaghy at the point of the bayonet, fortunately without loss of life; and if it had not been for the admirable discipline of the officers and men, and the temperate conduct of the magistrates, events the most deplorable must have happened. After this repulse, the Orangemen from a distance marched home in procession, and tranquillity appeared to be restored. The magistrates remained on the road for about an hour with the military, and then, with two Orange lodges in front, marched home to Castle Dawson, about six o'clock in the evening. About eight o'clock an express arrived at Castle Dawson to say that the Orangemen and Ribbonmen had met and were then engaged; the magistrates and the soldiers immediately set out for the spot.

The facts are, some of the Orangemen of Bellaghy had, during the struggle on the road, managed to pass by the soldiers, and by hiding in hedges had succeeded to keep themselves concealed. Another party of Orangemen from Cavan, in this county, had, in defiance of the magistrates at Maghera, persisted in going forward towards Drumard, after the Riot Act had been read, and those two parties having joined each other, commenced an attack upon the houses of the unfortunate people of Drumard. A few of the Ribbonmen upon hearing the shouts of the other party, and seeing the attack upon the houses, came forward, and some shots were exchanged; the former retreated, and the Orangemen commenced the work of destruction; they fired into the houses until all the inhabitants fled, and then set fire to every article of furniture, demolished doors and windows, and even trampled and destroyed the wretched pittance of meal and provisions. So deadly was their animosity, that when the soldiers came up and saw the houses in flames, and wished to save them, there was not a single vessel capable of holding water that had not been broken into a thousand pieces.

The military did not arrive from Castle Dawson until seven houses were set fire to, one of which was entirely consumed, and the Bellaghy Orangemen retired, after having vented their fury and finding no resistance. Just as the military came up, a fresh body of Orangemen from Maghera appeared; the moment they came in sight they fired a volley; the military then closed upon them, and after some parley they agreed to give up their arms; they were then made prisoners and marched to Castle Dawson, where they arrived about 11 o'clock at night.

There was not a human being to be seen in the whole district, they had all fled; and the yells and screams of the Orangemen whilst setting fire to the houses, the deliberate discharge of

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their musketry upon the struggling people whilst flying, and their own appearance, stripped to their shirts, and covered with smoke and powder, can never be effaced from the memory of those who witnessed it.

Anything so disgraceful to the character of men and of Protestants, so savage, so lawless, and so uncalled for, cannot be forgotten; the whole was done with such deliberation, and in open defiance of the law. The magistrate from Maghera, at the peril of his life, rode up to the Orangemen on the spot, entreated them to desist, and read the Riot Act for the third time, but nothing would satisfy them; the magistrate was fired at, and a bullet struck the ground within a few yards of his horse.

It is but justice to the country to state that not one man of respectability was amongst them; the procession was entirely composed of idle tradesmen, loose disorderly farmers, servants, and a few licensed publicans of bad character.

Copies INDICTMENTS and INFORMATIONS respecting Riots at *Maghera* and *Drumard*, 12 July 1830.

City and County of Londonderry, to wit. } THE jurors for our Lord the King, upon their oath, present that Joseph Sloss, late of Maghera, in the said city and county of Londonderry, yeoman; William Orr, late of the same place, yeoman; William Porter, late of the same place, yeoman; James Moore, late of the same place, yeoman; James Scott, late of the same place, yeoman; and John M'Guigan, late of the same place, yeoman, with many other evil-disposed persons and disturbers of the peace of our said Lord the King, to the number of 50 and more, whose names the jurors aforesaid are ignorant of, on the 12th day of July, in the first year of the reign of our Sovereign Lord Will. 4, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms; that is to say, with swords, sticks, and so forth, at Maghera aforesaid, in the said city and county of Londonderry, did riotously, routously and unlawfully assemble and associate themselves together, and the said persons being then and there so riotously, routously and unlawfully assembled and associated as aforesaid, did then and there make a great affray, contrary to the peace of our said Lord the King, his Crown and dignity.

City and County of Londonderry, to wit. } THE jurors for our Lord the King, upon their oath, present that John Orrell, late of Dromard, in the said city and county of Londonderry, yeoman; Isaac Fleming, late of the same place, yeoman; Whiteside Bruce, late of the same place, yeoman; Alexander Milliken, late of the same place, yeoman; William Henderson, late of the same place, yeoman; James Johnstone, late of the same place, yeoman; and James M'Whinney, late of the same place, yeoman, with many other evil-disposed persons and disturbers of the peace of our said Lord the King, to the number of 50 and more, whose names the jurors aforesaid are ignorant of, on the 12th day of July, in the first year of the reign of our Sovereign Lord, Will. 4, by the grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms; that is to say, with swords, sticks, and so forth, at Dromard aforesaid, in the said city and county of Londonderry, did riotously, routously and unlawfully assemble and associate themselves together, and the said persons being then and there so riotously, routously and unlawfully assembled and associated as aforesaid, did then and there make a great affray, contrary to the peace of our said Lord the King, his Crown and dignity.

Rev. *James S. Knox*, magistrate, states, that on the morning of the 12th July he saw a party of Orangemen assembled round a flag near the town of Maghera, at the extremity of the town, and going towards the road to Dromore; he thought it right to read the Riot Act, and call upon the party to disperse. Of the parties present he knew Joseph Sloss, William Orr, William Porter and James Moore. The parties seemed to disperse; after waiting a few minutes Mr. Knox rode away and proceeded towards Drumard Hill, where the Roman-catholic party had assembled, to disperse them. Mr. Knox read the Riot Act to the Roman-catholic party, and they dispersed and disappeared. Mr. Knox then rode to Knockloughran, where an Orange party had assembled, consisting of six lodges and about 300 men. Mr. Knox addressed them and required them to disperse. Mr. Knox informed them, that the Roman-catholic party had been dispersed; this party promised to disperse also, and were apparently in the act of doing so when Mr. Knox was called away, on information that the Roman-catholics were again assembled and in conflict with the Orangemen on Drumard Hill. Mr. Knox immediately rode to Drumard Hill, and found the report untrue, and he believes it had arisen from the circumstance of Mr. Hunter and Mr. Sheil having brought a military party from Castle Dawson. Mr. Knox then rode back in the direction of Knockloughran, and found the major part of the Orangemen had broken their promise to him, and were in full march towards Drumard Hill. Mr. Knox then positively declared that he would order the military to act and read the Riot Act; the military were at this period almost in contact with the Orangemen, which latter body began slowly to retrace their steps towards Knockloughran.

loughran. Mr. Knox, of this party, recognised William Porter and John M'Guigan, who had Orange badges. Mr. Knox followed the retiring Orangemen to Knockloughran, where he remained until all the Orange lodges of which they were composed had retired in the direction of their respective homes and disappeared in the distance. All seemed at this time to be perfectly tranquil in the district where disturbances had been apprehended, and Mr. Knox directed the military to return to Maghera, from which quarter rumours of an unpleasant nature were in circulation. It was at this time, about six o'clock, Mr. Knox, accompanied by Mr. Crossley and a mounted policeman, rode once more to Drumard Hill; on his way he met several of the Roman-catholic peasantry hastening along the road from Drumard in a state of extreme consternation, from whom he learned that the Orangemen had come from Bellaghy in considerable numbers, and were perpetrating several outrages. Mr. Knox distinguished a body of men in the direction of Bellaghy, to whom he rode, and he passed between this party and the Roman-catholic party, who were firing at one another. When arrived at the Orange party, near the house of Samuel Bruce, Mr. Knox again read the Riot Act, and ordered them to disperse; they began to return towards Bellaghy, apparently disposed to obey, merely requiring that the Ribbonmen should be compelled to disperse in like manner. Firing was now heard on the right of the Orangemen. Mr. Knox returned to the Ribbonmen and enjoined them to disperse, mentioning the conversation he had just had with the Orangemen; while so engaged a fresh body of Orangemen arrived upon a hill about 300 yards distant, and fired several shots amongst the Ribbonmen, with whom Mr. Knox was. Other shots were also fired from more distant Orangemen; after a short forbearance a few of the Ribbonmen returned the fire from the place where Mr. Knox was, and others assailed the Orangemen from different positions; the affray now became general. Mr. Knox removed for about a quarter of an hour, in the expectation that the military party from Castle Dawson would arrive; this not occurring, he rode to Maghera to procure a force, leaving a mounted policeman on the spot, with orders to follow him at a specified time, and let him know whether the military had arrived from Castle Dawson, and whatever might occur in the meantime. The policeman arrived in Maghera in about an hour, and announced that the military and magistrates had come from Castle Dawson, and that the district was tranquil. Mr. Knox and Mr. Crossley rode out again to Drumard Hill about 11 o'clock at night, and found all there quiet, but heard that houses had been destroyed. Mr. Knox saw Barclay Kennedy and Alexander Milliken with the Bellaghy Orangemen, when he read the Riot Act near Bruce's house.

The distance from Maghera to Drumard is 2 ½ or 3 miles.
— Drumard to Knockloughran - 2 ditto.
— Drumard to Bruce's house - 1 ditto.
— Bruce's house to Bellaghy - 1 ditto.
— to Castle Dawson - - - - - 2 ditto.

Henry B. Hunter, Esq., Magistrate of the City and County *Londonderry*; examined at *Maghera* 31 July 1830.

STATES, that on the morning of the 12th July, deponent went to Bellaghy in company with Mr. Shiel, another magistrate, and a company of the 64th regiment. An affidavit was sworn by two respectable householders, that if the Orangemen walked in procession that day by Drumard, that a breach of the peace would ensue (*see* copy of examinations). Deponent and the other magistrates reasoned with the two masters of the other Orange lodges who arrived there, and requested them to return home quietly, and this they refused to do. About half-past one o'clock, the Orangemen had assembled in Bellaghy to the amount of about 600 or 700 men, mostly all armed with guns, and they attempted to get on the road to Drumard. The magistrates and military were stationed on this road, and when the Orangemen came upon it the Riot Act was read, and they were prevented from proceeding. The Orangemen said, that if the magistrates went to Drumard and dispersed the Ribbonmen that they, the Orangemen, would remain at Bellaghey until the military returned; and the magistrates upon this went with the military towards Drumard, leaving the Orangemen as proposed in Bellaghy. When this deponent and the military got to Drumard there was no appearance of any person there; the Ribbonmen had all dispersed upon being desired to do so by the magistrates from Maghera; and this deponent returned with the military to Bellaghy. About a mile from Bellaghy the Orangemen appeared in full force on the road (notwithstanding their promise to remain at Bellaghy), with drums beating, colours flying, and a great number of them intoxicated; they came up to the military, between two high hedges, and did not stop till they came close to the bayonets of the soldiers. The Orangemen were told that the Ribbonmen had all dispersed, and they were requested to turn back to Bellaghy; this they refused to do, and pressed upon the soldiers, evidently for the purpose of overpowering them. The Riot Act was again read; several shots were then fired by the Orangemen in the rear; they pressed on the military, who were obliged to charge bayonets, and after a struggle of about half an hour the Orangemen, who amounted to about 700 men, were forced back to Bellaghy at the point of the bayonet. The lodges from a distance then marched on their way home, and the military and magistrates remained for about an hour on the road under arms, till everything was quiet in the village, and they then marched towards Castle Dawson, with two Orange lodges in front of them, who were going that way; this was about six o'clock in the evening. About eight o'clock an express arrived at Castle Dawson to say that the Ribbonmen and Orangemen were engaged at Drumard, and the magistrate and military

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immediately set off for the spot. This deponent rode on before the military, and met numbers of the people of the country flying from the place where the parties were engaged; heard upwards of 100 shots; heard great shouting and huzzaing; rode up to cross roads at Bruce's house, where he saw a number of people on the road retreating towards Bellaghy. The firing had at this time ceased; saw two houses on fire; went into them; saw others smoking at a distance from the road; met a party of Orangemen from Maghera, who fired a volley when they arrived in sight. The military came up and disarmed this party, and took them prisoners: there were 30; they were all armed; their guns were fired off and taken from them, and they were marched to Castle Dawson. The attack on the houses was made by the Bellaghy Orangemen, who had contrived to escape part of the military when they were met near Bellaghy; they had concealed themselves in the fields, and had been joined by some others of the Curran Orangemen, who had forced their way after the Riot Act had been read at Maghera by the magistrates, and had joined the Bellaghy Orangemen, and these two parties made the attack on the houses; they had received no provocation from the Ribbonmen, that deponent saw; and it appeared to me from the first that the Orangemen were determined to make an attack of some kind upon the opposite party.

The INFORMATIONS of *William Crossley*, Chief Constable Police, taken before the Rev. *James S. Knox*, and *H. B. Hunter*, Esq., 31 July 1830.

States, that on the 12th July he was present when the Rev. Mr. Knox read the Riot Act to the Orangemen at Knockloughran, or rather between Knockloughran and Gallyduff; that James Scott, of Maghera, John M'Guigan, of Maghera, were there at the time, and that this deponent heard and believes that those two persons, Scott and M'Guigan, were taken in arms, one that night by Mr. Hunter, Mr. Sheil and the military; and on the following day, the 13th July, this deponent saw them prisoners in the linen-hall of Magherafelt.

William Crossley, Chief Constable of Maghera, states, that on the 12th July he was in company with the Rev. Mr. Knox, a magistrate, when he read the Riot Act to a body of Orangemen assembled round a flag, within 50 yards of this town; that one of the said body of Orangemen handed him a warrant glazed in a frame, and that he said that was their authority for assembling and walking; Mr. Crossley took the warrant in his hand, but that it was immediately taken from him by another of said body; that he recognised among said body the following persons, viz. William Orr, of Maghera, William Porter, of Maghera, Joseph Sloss and James Moore; that he accompanied Mr. Knox to Drumard-hill, where were assembled between 700 and 800 men of the Roman-catholic party, armed with muskets, pikes, &c., to whom Mr. Knox read the Riot Act; that they dispersed quietly; that he then returned with Mr. Knox to Knockloughran, where were collected a large body of Orangemen with fire-arms, flags and decorations; that amongst this large body, which consisted of between 400 and 500 persons, he saw Joseph Sloss armed with a firelock, William Orr armed with a firelock, and William Porter with an Orange pole in his hand, and decorated with an Orange sash; and these are persons above-named as of the other party in the morning; that afterwards this large body of Orangemen moved on towards Drumard, where Mr. Knox met them with the military, and read the Riot Act; that he then again saw William Orr armed as before; that the Orangemen then dispersed from Knockloughran; that at the time the Riot Act was read by Mr. Knox near Gallyduff, he then saw James Scott, of Maghera, with Orange ribbons, John M'Guigan, of Maghera, with Orange decorations; that he heard and believes that those two last-named persons, on the evening of the 12th, were taken in arms by the magistrates of Castle Dawson; that he saw them prisoners on the day following in Magherafelt.

The INFORMATIONS of *John Shiel*, Esq. and *H. B. Hunter*, Esq., taken before Rev. *J. S. Knox*, 27th July 1830.

John Shiel states, that on the morning of the 12th July he proceeded to the village of Bellaghy in company with a detachment of the 64th regiment, in order to preserve the peace; that he then and there saw a number of people calling themselves Orangemen armed; that in consequence of those persons attempting to walk in procession in the direction of Drumard Hill, through the part of the country where it was reported the persons called Ribbonmen had assembled, and endeavouring to force their way past the soldiers, that this deponent then and there at two several times read the Riot Act in a distinct voice, and called upon the said persons to disperse; that amongst the persons who refused to disperse after the reading of the Riot Act as aforesaid, this deponent saw Barclay Kennedy, of Bellaghy, Jonathan Mullen, of Old Town, and several other persons to this deponent unknown.

H. B. Hunter states, that on the 12th day of July aforesaid he was in the village of Bellaghy; that he then and there saw a number of persons called Orangemen, mostly armed; that he heard Mr. Shiel, a magistrate, read the Riot Act twice, or a part thereof; that both before and after the reading of the said Act the deponent saw the following persons in the crowd of Orangemen, viz. Barclay Kennedy, of Bellaghy; Andrew Dickson, of Bellaghy; Jonathan Mullen, of Old Town or Bellaghy; a person whom this deponent believes to be called Thomas Hill, of Mullaghboy, armed with a blunderbuss; a man whom this deponent believes to be called Grace; a man whom this deponent believes to be called Charles O'Neill, of Bellaghy.

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Copy INFORMATION of *William Crossley*, of *Maghera*, Chief Constable, sworn before Rev. *J. S. Knox*, 27 July 1830.

STATES, that he was present on the 12th July last past, when the Rev. J. S. Knox read the Riot Act to a body of Orangemen assembled near Maghera, with which body informant saw the following persons, viz. William Orr, Joseph Sloss, Moore and William Porter, who dispersed at that time; this informant saith that he firmly believes said body of Orangemen intended to walk to the townland of Drumard; that a few hours afterwards deponent saw bodies of Orangemen assembled at Knockloughran, amongst whom deponent recognized the above-named William Orr, Joseph Sloss with a firelock, and William Porter; and that some time after said bodies of Orangemen marched on the road to Gullyduff, where Mr. Knox again read the Riot Act, and informant then saw said Orangemen William Orr and William Porter.

Copy INFORMATION of *Samuel Bruce*, Esq., taken before the Rev. *J. S. Knox*, 22 July 1830.

STATES, that on the morning at three o'clock of the 12th July, he heard the drum; he saw about 600 men, which he believes were Ribbonmen; they were armed; there were several shots fired by those persons; they kept up the firing occasionally from the hills; they came near his house to the rise of the brae in Rocktown; there were about 100; they fired three or four shots in the direction of his house; they went back to the Rocktown-road; they did not destroy any property that this deponent knows; does not know any of the party.

Copy INFORMATION of *Michael M'Kee*, sworn before Rev. *J. S. Knox*, 22 July 1830.

STATES, that he was at home on the 12th July about 11 o'clock in the morning; he saw about 10 men, that he believes were Ribbonmen; he heard several shots; he does not know any of the persons; he does not know of any harm they did; earlier in the morning he had seen a great number of men on the hills; he heard that they dispersed and went to Drumcarnon-hill; he saw them returning from that in small parties to the neighbourhood of Farrell's Rock; he saw them coming down the road towards Samuel Bruce's; they fired no shots; there might have been 100; they were at Killard Loaning; the Orangemen came up; three of them came along the road; the rest of the Orangemen came up; the Ribbonmen stationed near James Farrell's fired on the Orangemen; Farrell's house was not on fire at this time; he saw them advance towards Maghera; the fight continued about two hours and a half.

Copy INFORMATION of *Daniel Henderson* and *Andrew Cullen*, taken before *H. B. Hunter*, Esq., 12 July 1830.

STATES, that they have heard and believe that a number of persons called Ribbonmen are this day assembled in the neighbourhood of Drumard and Rocktown; and they further say, that they believe, if the persons called Orangemen march in procession through that part of the country, or through any other part of the country where the aforesaid persons called Ribbonmen are so assembled, that a breach of the peace will in their opinion ensue.

Copy of INDICTMENTS, INFORMATIONS, and EXAMINATION of WITNESSES, respecting the Charges against *Bartholomew Kennedy* and Others, for the burning of Houses at *Drumard* on the 12th July 1830.

The *King* against *Bartholomew Kennedy* and Others

City and County of Londonderry, to wit. } THE jurors for our Lord the King, upon their oath, say and present, that Bartholomew Kennedy, late of Bellaghy, in the said city and county of Londonderry, yeoman; Neal M'Peake, late of the same place, yeoman; William Boyd, late of the same place, yeoman; John M'Neille, late of the same place, yeoman; Jonathan Mullen, late of the same place, yeoman; Daniel M'Peake, late of the same place, yeoman; William M'Gill, late of Drumlamph in the said city and county, yeoman; David Dixon, late of the same place, yeoman; Robert Jennings, late of Tamladuff in the said city and county, yeoman; John Orrall, late of Calragh in the said city and county, yeoman; Isaac Fleming, late of Ballymacross in the said city and county, yeoman; Whiteside Bruce, late of Drumlamph aforesaid, yeoman; Alexander Millikin, late of the same place, yeoman; William Henderson, late of the same place, yeoman; James Johnstone, late of the same place, yeoman; James Scott, late of Maghera in the said city and county, yeoman; William Orr, late of the same place, yeoman; Robert Woods, late of the same place, yeoman; and Alexander M'Naght, late of Bellaghy in the said city and county, yeoman, together with divers other evil-disposed persons, to the jurors aforesaid at present unknown, on the 12th day of July, in the first year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, and so forth, with force and arms, at Drumard, in the said city and county of Londonderry, unlawfully, maliciously and feloniously did set fire to a certain dwelling-house there situate,

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of one James Farrell, against the peace of our said Lord the King, his Crown and dignity, and contrary to the form of the statute in such case made and provided.

2d Indictment.—The jurors for our Lord the King, upon their oath, present, that Bartholomew Kennedy, late of Bellaghy, in the city and county of Londonderry, yeoman; Neal M'Peake, late of the same place, yeoman; William Boyd, late of the same place, yeoman; John M'Neill, late of the same place, yeoman; Jonathan Mullen, late of the same place, yeoman; Daniel M'Peake, late of the same place, yeoman; William M'Gill, late of the same place, yeoman; David Dixon, late of the same place, yeoman; Robert Jenning, late of Tamladuff, in the said city and county, yeoman; Robert Woods, late of Ballyscullion, in the said city and county, yeoman; and Alexander M'Naght, late of Bellaghy, in the said city and county, yeoman; together with divers other evil-disposed persons, to the jurors aforesaid unknown, not having the fear of God before their eyes, but being moved and seduced by the instigation of the devil, on the 12th day of July, in the first year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, and so forth, with force and arms at Drumard, in the said city and county of Londonderry, wilfully, maliciously, unlawfully and feloniously did set fire to and burn a certain dwelling-house of one James Farrell, against the peace of our said Lord the King, his Crown and dignity.

3d Indictment.—The jurors for our Lord the King, upon their oath, present, that James Scott, late of Maghera, in the city and county of Londonderry, yeoman; and William Orr, late of the same place, yeoman; together with divers other evil-disposed persons, to the jurors of our said Lord the King at present unknown, not having the fear of God before their eyes, but being moved and seduced by the instigation of the devil, on the 12th day of July, in the first year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, and so forth, with force and arms at Drumard, in the city and county of Londonderry aforesaid, wilfully, maliciously, unlawfully and feloniously did set fire to and burn a certain dwelling-house of one James Farrell, there situate, against the peace of our said Lord the King, his Crown and dignity.

4th Indictment.—The jurors for our Lord the King, upon their oath, present, that Bartholomew Kennedy, late of Bellaghy, in the city and county of Londonderry, yeoman; Jonathan Mullen, late of the same place, yeoman; Daniel M'Peake, late of the same place, yeoman; William Boyd, late of the same place, yeoman; and Andrew Dixon, late of the same place, yeoman; together with divers other evil-disposed persons and disturbers of the peace of our said Lord the King, to the number of 50 and more, whose names the jurors aforesaid are at present ignorant of, on the 12th day of July, in the first year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, and so forth, with force and arms, that is to say, with guns, pistols, bayonets, swords, sticks and so forth, at Oldtown, in the said city and county of Londonderry, did riotously, routously and unlawfully assemble and associate themselves together, and that said persons, being then and there so riotously and unlawfully assembled together as aforesaid, did then and there make a great affray against the peace of our said Lord the King, his Crown and dignity.

5th Indictment.—The jurors for our Lord the King, upon their oath, present, that John Orrell, late of Catragh, in the city and county of Londonderry, yeoman; Isaac Fleming, late of Ballynacross, in the said city and county, yeoman; Whiteside Bruce, late of Drumlamph, in the said city and county, yeoman; William Henderson, late of the same place, yeoman; James Johnstone, late of Slatterbogun, in the said city and county, yeoman; and James M'Awinny, late of Curran, in the said city and county, yeoman; together with many other evil-disposed persons, to the jurors of our said Lord the King at present unknown, to the number of 50 and more, on the 12th day of July, in the first year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, and so forth, with force and arms, and so forth, at Drumard, in the said city and county, did riotously, routously and unlawfully assemble and associate themselves together, to disturb the peace of our said Lord the King, his Crown and dignity.

Copy INFORMATION of *James Drummond*, sworn before *Henry B. Hunter*, Esq., 13th July 1835.

States, That on the evening of Monday the 12th day of July instant, his dwelling-house in Drumard was set on fire, and his goods and chattels therein carried away, burned or otherwise destroyed, by a lawless party of armed men, calling themselves Orangemen, most of whom were dressed with party colours and ribands, and unknown to informant; saith he has lost all his furniture and chattels by said burning.

Note.—The houses of several other persons were also set fire to, and the furniture and effects destroyed, on the evening and night of the 12th July; but the persons making the information (except Farrell) have not identified any of the persons concerned in these outrages.

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Copy INFORMATION of *Owen M'Peak*, of *Drumard*, sworn before Rev. *James Spencer Knox*, 14th of July 1830.

STATES, that on the evening of the 12th instant, this informant's house in Drumard aforesaid, was entered by some persons then and at present unknown to him; that the said persons did then and there maliciously break and destroy this informant's goods and chattels; that they also took and carried away a hat and several articles of wearing apparel belonging to informant's daughter; and further saith, that the damage sustained by him would, as he believes, amount to 10*l.* or more.

Copy INFORMATION of *William M'Peak*, of *Drumard*, sworn before Rev. *James Spencer Knox*, 14th July 1830.

STATES, that on the evening of the 12th July last past, this informant was at his house in Drumard aforesaid, when he heard the report of guns at a short distance from his house; that he saw two large parties of armed men coming in the direction of the house; that informant then left the place for the purpose of saving his life; that on being informed his house was on fire, and his goods and chattels destroyed and carried away by persons unknown to informant; and informant further saith, that the damage sustained by him would, as he believed, amount to 8*l.*

Copy INFORMATION of *Thomas Carmichael*, sworn before the Rev. *James Spencer Knox*, 14th July 1830.

STATES, that on the evening of the 12th July last past, this informant was at a short distance from his house in Drumard, on his way to the bog where he was going to cut turf, when he saw two large bodies of armed men in a hostile manner preparing to attack each other with guns and other weapons; that informant then returned to his house for the purpose of preserving the lives of his family and his property; that he accordingly removed his family and part of his property; that informant on the following morning returned to his house, and found all his household furniture broken and destroyed; and informant has heard and believes that the said furniture was destroyed by the bodies of men aforesaid; and further saith, that the damage sustained by him would, as he believes, amount to 8*l.* and more.

Copy INFORMATION of *Philip Burns*, taken before the Rev. *James Spencer Knox*, 14th day of July 1830.

STATES, that on the evening of the 12th of July, this deponent was in his house of Drumard aforesaid; that he saw a large body of armed men coming towards his house; that on seeing them approach the house deponent fled for his life, when said body of men, as he believes, entered deponent's house, and did maliciously burn and destroy deponent's goods and chattels, and, as he believes, carried off a quantity of meal, butter, &c. his property; and deponent further saith, that he believes the damage sustained by him would amount to 4*l.* or more.

Copy INFORMATION of *William Carmichael*, sworn before the Rev. *James Spencer Knox*, 14th day of July 1830.

STATES, that on the evening of the 12th of July last, this deponent was near his house at Drumard, when two large bodies of men armed, commonly known by the names of Ribbonmen and Orangemen, came in the direction of this deponent's house; that when at a short distance from deponent's house the men aforesaid commenced firing upon each other; that deponent to save his life and property left the place where he then was, driving with him a cow, his property, which was in a field near his house; that deponent, on being informed that his house was on fire, returned for the purpose of preserving his property, when he found a number of his neighbours endeavouring to extinguish the flames by throwing water on them, and by pulling down the roof; that the greater part of his house, and almost all his chattels were destroyed by the flames aforesaid, and by some persons then and at present unknown to deponent; and deponent further saith, that he belongs to no party or faction, and that he never gave any provocation to the bodies of men aforesaid to destroy his house and property; and further saith, that the damage sustained by him would, on being valued, amount to 12*l.*

Copy INFORMATION of *James Farrell*, sworn before *James Spencer Knox*, Esq., 22 July 1830.

STATES, that a serious riot occurred during the day of the 12th of July instant; that on the evening of said day a large body of men, styling themselves Orangemen, with badges, decorations and fire-arms, with other deadly weapons, approached informant's house in a

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hostile manner, the door of which they broke open and then entered; that they destroyed the furniture, and at last set fire to the house, which, with the furniture, was totally consumed; that at the time this outrage occurred, being after sunset, no opposition was offering to said party of Orangemen by the Ribbonmen, or any other person whatsoever; that during the earlier part of the afternoon a considerable body of Ribbonmen fired on the Orangemen aforesaid from the fields adjoining to informant's house; that informant had taken no part in said riot during the day; that informant, when he saw said Orangemen approaching, concealed himself in his garden, from whence he could distinctly (having previously locked the door of his house,) see them, and did there recognize the following persons as being actively engaged in said outrage, and now distinctly identifies Bartly Kennedy of Bellaghy, Neal M'Peake of William Boyd of Bellaghy, John M'Neal of Bellaghy, William M'Gill of Drumtample, Jonathan Mullon of Robert Jennings of Tamladuff, Daniel M'Peak of Bellaghy, and David Dixon of Drumlamph.

Saith that he then (that is to say after the house was first set fire to,) left his place of concealment, and came into his house with the expectation of extinguishing the flames then only commencing; that while so employed he was alarmed by the approach of another party or body of Orangemen, and returned to his hiding place; that said last-mentioned party entered the house and increased the flames by spreading the burning furniture through it; that informant recognized among said party last-mentioned John O'Neal of Coltragh, Isaac Fleming of Ballynacross, Whiteside Bruce of Drumlamph, Alexander Millikin of same place, William Henderson of same place, and James Johnston of Hellabogue. Informant further saith, that after dark another party of Orangemen, coming along the road from Bellaghy to Maghera, approached his house, which was still burning; that some among them said, in informant's hearing, "that the house was too long standing, and ought to have been burnt sooner;" that some of said party took a portion of the timber and endeavoured to increase the fire; and informant here identified James Scott and William Orr; that shortly after the army from Castle Dawson arrived; and informant saith that, to the best of his belief, took prisoners, the said last-mentioned persons, and marched them to Castle Dawson.

Copy further INFORMATION of *James Farrell*, sworn 30 July 1830.

States, that on the evening of the 12th July, informant's house was set fire to by a party of people whom he declares to be Orangemen; that among said persons who were on the road, and engaged in said burning, Robert Woods, Alexander M'Naght, both of Bellaghy, and Robert Jennings of Tamladuff, and James Maw Whinny of Curran; and that those persons were sworn to by this informant in the first information, but the names were struck out by the magistrates after the information was written.

EXAMINATION of Witnesses taken at *Maghera*, 31 July 1830.

James Farrell states, that he was standing on the hill of Drumard in the morning of the 12th of July with the Roman-catholic party at the time Mr. Knox and Mr. Crossley went there with the military to disperse them; saith he was not armed, had neither pike or stick; went there through curiosity to see the proceedings of the magistrates, and many other persons went for the same purpose. After the party dispersed witness went to his own house, which was about half-a-mile from where the party were, and remained at home; meant to have gone for his wife and children in the afternoon when he thought all was over; did not go for his wife and children, because he observed the Orangemen collecting in the neighbourhood about four o'clock, and witnessed the firing between both parties; the Roman-catholic party was on the side of Drumard Hill; the Orangemen advancing from Killard Hill; saw Mr. Knox and Mr. Crossley between the two parties; witness was standing on a ditch near Mr. Knox; witness's family went away in the morning to seek shelter and protection; witness returned to his house in the evening; his family had not returned; went into his house; there was no person with him, or in his house; he came out of said house and locked the door, intending to go and look after his family; witness then went into his garden; did not see any one at that time; when in the garden he heard the noise of a party coming; they broke his door and windows, and then went into the house and destroyed his furniture; they then set fire to his house inside; and said party remained in and about said house upwards of a quarter of an hour. Witness knew amongst said party Bartly Kennedy of Bellaghy, who keeps a public-house (Kennedy was one of the persons that entered the house), Daniel M'Peake of Ballymackpeake, farmer, who also entered the house, William Boyd of Bellaghy, John M'Neille of the same place, William M'Gill of Drumtample, David Dixon of same, Jonathan Mullen and Alexander M'Naght of Bellaghy; all these persons named (except M'Naght), and several other persons informant did not know, entered the house before he saw any fire; witness was hiding all the time in his garden, and had a full opportunity of seeing those persons, whom he knew before; some of them had fire-arms, and some had swords and bayonets on sticks; Daniel M'Peake had a gun; several of them had Orange ribbons and cockades; there was no flags or colours; Bartly Kennedy and John M'Neille had guns. When the party went away he came from his place of concealment and went into the house; saw it on fire on the inside; the bed was on fire and the furniture broken; witness was endeavouring to extinguish the fire when he heard another party, who afterwards appeared to belong to a place called Curran; he escaped from his house and went again to his hiding place in the garden; this party went in and about the house,

house, and remained about a quarter of an hour or better; when they went away the flames had so spread that there was no probability of saving the house, or anything in it; witness could go into the kitchen but not into the room; of the last party, witness knew James M'Whinny of Curran, who keeps a public-house, and appeared to be a leader of the party, John O'Neille of Calragh, farmer, Isaac Fleming of Ballynacross, farmer, Whiteside Bruce of Drumlamph, farmer, Alexander Millikin of same place, farmer, William Henderson of same place, farmer, and James Johnstone of Strababogun, farmer; there were others of this party but he did not know them; knows all the persons he has named, and had a full opportunity of seeing them. Witness says that afterwards another party came to his house, which he calls the Maghera party; witness was in the kitchen; when he heard the party coming on, he again took his station in the garden under the gate near the hedge, where he could see them; they were armed; when they came near the house they ordered their arms and began to cheer; and one of said party said the house was too long burning; they advanced to the door; two of this party took from the house a burning stick, and placed it in the kitchen end of the house outside, and set it on fire; those two persons, William Orr, of no business, and James Scott, a shoemaker, both of the town of Maghera; witness did not know any others of this party. Soon after this the military came up, and witness heard that several persons were taken prisoners. When the first party came and set fire to his house it was day light, but believes the sun had set, but is not certain; when the second party came the sun was set; and when the third party came it was neither dark nor light, it was between the two. A man of the name of Robert Woods of Ballyscullion, was of the first party; witness named him in his information, but he does not know why he was left out; Robert Jennings was also named by witness as of this party.

Note.—William Crossley, chief constable of police, saw Kennedy, Orr and Boyd, also Alexander Millikin, armed that day.

The house of several persons were burnt and destroyed on the 12th July at and near Drumard by the Orangemen.

William Carmichael states, that on the 12th July last, he went with his wife and children in the evening to place them in safety, when he heard the Orange party coming; he lives near Drumard; the Orange party set fire to his house before they went to Diamond's house; on his return he found his house on fire, and some of his neighbours extinguishing it; he did not see the house set fire to; his furniture and effects were destroyed; does not know any of the party concerned in burning his house.

James Diamond states, that on the 12th of July last, between the hours of nine and ten o'clock at night, his house was broken open, and his furniture and effects broken and burnt; the house did not take fire; witness was in the house when the party came towards the house; he shut the door, and went to the out-house to lose the cow, which he drove away towards his father's house; the party fired several shots after witness; witness's wife and child left the house in the morning; he was not near enough to know any of the persons in said party; they came in the direction from Bellaghy towards witness's house; he is a Roman-catholic.

James Henry states, that on the evening of the 12th of July 1830, he saw the Bellaghy Orangemen going towards Carmichael's house, and heard the noise of the wrecking of the houses, and saw fire at Carmichael's, and observed some of the party going towards Farrell's house; after the fire at Carmichael's, saith they broke the door and windows of Farrell's house, and then he saw the house on fire. Witness cannot identify any of the party; saith he afterwards saw the Orange party, called the Curran party, go towards Farrell's house; did not know any of them; did not see the third party, because he was not at home; he went to the grass for his cow, and in his absence he heard the third party were at Farrell's.

James O'Neille states, that in the evening of the 12th of July, witness saw the Orangemen going towards Farrell's house from the Bellaghy side; they broke open the door and windows; saith he heard them breaking the furniture, and then saw the house on fire; cannot identify any of the party; saith he saw the Curran party near Farrell's house; they did not remain long there; he thinks the commencement was before sunset, but the fire was after sunset; did not know any of this party.

Copies INDICTMENT, INFORMATIONS and EXAMINATIONS of WITNESSES in Rescue Case, at *Magherafelt*, on 22d July 1830, connected with the *Maghera* case.

City and County of Londonderry, } to wit. } THE jurors for our Lord the King, upon their oath, present, that heretofore, to wit, on the 22d day of July, in the first year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, and so forth, at Magherafelt, in the said city and county of Londonderry, divers persons, that is to say, Bartholomew Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson, and Jonathan Mullen, together with several others, to the jurors aforesaid at present unknown, were brought before the Rev. John Spencer Knox, clerk; Henry B. Hunter, esq.; Rowley Miller, esq.; John Sheil, esq., and the Rev. Robert Alexander, clerk; then and there being justices of our said Lord the King, in and for the city and county of Londonderry, and also to hear and

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determine divers felonies, trespasses and other misdemeanors, within the said county committed, and then and there were in lawful manner, in custody of the said justices of our said Lord the King, and were then and there charged upon oath before the said justices of our said Lord the King, for that they the said Bartholomew Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson and Jonathan Mullen, together with said other persons so as aforesaid unknown, theretofore unlawfully, maliciously and feloniously, did set fire to and burn a certain dwelling-house of one James Farrell, situate in the said city and county; and the said James Spencer Knox, Henry B. Hunter, Rowley Miller, John Sheil and Robert Alexander, so being justices of our said Lord the King, and then and there being in the due execution of their office as aforesaid, did then and there consider the charge aforesaid, and did then and there order, adjudge, award and determine, that the said Bartholomew Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson and Jonathan Mullen, and each of them, should be and stand committed to the common gaol of the said city and county of Londonderry, in order that they the said Bartholomew Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson and Jonathan Mullen, and each of them might answer to the charge aforesaid, according to due form of law, or until they the said Bartholomew Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson and Jonathan Mullen, and each of them respectively, should be discharged therefrom by due course of law, to wit, at Magherafelt aforesaid; and the jurors aforesaid, upon their oaths aforesaid, do further present, that afterwards and whilst the said Bartholomew, Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson and Jonathan Mullen, and each of them, were in lawful custody as aforesaid, William Orrell, late of Catragh, in the said city and county of Londonderry, yeoman; James Bradley, the elder, late of Gullyduff, in the said city and county, yeoman; James Bradley, the younger, late of the same place, yeoman; John Bradley, late of the same place, yeomen; Francis Johnstone, late of Slatterbogue, in the said city and county, yeoman; Samuel Haw, late of Knockloughran, in the said city and county, nailer; Thomas Stewart, late of Curran, in the said city and county, yeoman; Alexander Hepson, late of Maghera, in the said city and county of Londonderry; William Hood, late of Toherhead, in the said city and county, yeoman; John Hood, late of the same place, yeoman; John M'Neill, late of Drumlamph, in the said city and county, yeoman; John Morris, late of Hillhead, in the said city and county, yeoman; James Henderson, late of Toherhead aforesaid, yeoman; William Ferres, late of Glentragneal, in the said city and county, yeoman; John M'Keon, late of Castledawson, in the said city and county, yeoman; Archibald M'Neill, late of Drumlamph aforesaid, yeoman; David Peoples, late of Ballynogher, in the said city and county, yeoman; John Ellis, late of Tohermore, in the said city and county, yeoman; John Clarke, late of the same place, yeoman; James Mars, late of the same place, yeoman; John Lee, late of Bellaghy aforesaid; and James Speer, late of the same place, yeoman, together with divers other disorderly persons and disturbers of the peace of our said Lord the King, to the number of 100 and more, to the jurors aforesaid at present unknown, being armed with swords, guns, bayonets, sticks, staves and stones, and divers other weapons, on the 22d day of July, in the first year of the reign aforesaid, with force and arms, at Magherafelt aforesaid, well knowing all and singular the premises aforesaid, did unlawfully, riotously, routously and unlawfully, assemble and gather together, to break and disturb the peace of our said Lord the King, and being then and there so assembled and gathered together armed as aforesaid, them the said Bartholomew Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson and Jonathan Mullen, out of the custody and power, and against the will of them the said James Spencer Knox, Henry B. Hunter, Rowley Miller, John Sheil and Robert Alexander, then and there unlawfully, riotously and routously, did rescue and set at large to go whithersoever they the said Bartholomew Kennedy, Daniel M'Peake, William Boyd, John M'Neill, William M'Gill, David Dickson and Jonathan Mullen, respectively would, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending against the peace of our said Lord the King, his Crown and dignity.

City and County of Londonderry, to wit. } The jurors for our Lord the King, upon their oaths, present that William Orrell, James Bradley the elder, James Bradley the younger, John Bradley, Francis Johnstone, Samuel Haw, Thomas Stewart, Alexander Hepson, William Hood, John Hood, John M'Neill, James Morris, James Anderson, William Ferris, John M'Keon, Alexander M'Neill, David Peoples, John Ellis, John Clarke, John Mars, John Lee and James Speer, all late of Magherafelt, in the city and county of Londonderry, yeomen, together with divers other evil-disposed persons and disturbers of the peace of our said Lord the King, to the number of 100 and more, to the jurors aforesaid at present unknown, on the 22d day of July, in the first year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, and so forth, with force and arms, that is to say, with guns, bayonets, swords, sticks and other offensive weapons, at Magherafelt, in the said city and county of Londonderry, did then and there riotously, routously and unlawfully assemble and associate themselves together to disturb the public peace of our said Lord the King, and being so assembled as aforesaid, did then and there riotously, routously and unlawfully commit a great riot, tumult and disturbance, against the peace of our said Lord the King, his Crown and dignity.

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Copy INFORMATION of *William M'Alean* or *M'Clean*, of *Toherhead*, sworn before *John Shiels*, Esq., 23 July 1830.

SAITH, that he was in Magherafelt on the 22d July; he was in the sessions-house; saw the magistrates on the bench; heard Mr. Knox, one of the magistrates, read the decision of the bench; saw the riot begin in the sessions-house for the purpose of rescuing the prisoners in the dock. Amongst the rioters he saw John Hood of Toherhead, James Spear of Broagh, William Hood of Toherhead, James Anderson of same, John M'Neill of Drumlamph, Archibald M'Neill of same place, William Ferris, John Morris of Hillhead, near Castledawson, David Peoples of Ballynogher, and others unknown, were engaged in the riot and disturbance; that John M'Keon of Castle Dawson, as deponent believes, was also engaged in the riot and disturbance, and were all concerned in the rescue of the prisoners.

Copy INFORMATION of *H. B. Hunter*, Esq., sworn before *James S. Knox*, Esq., 27 July 1830.

STATES, that on the 22d day of July, he was in Magherafelt, and there saw a great riot and disturbance; saith, among the persons so assembled he saw Robert Lee of Bellaghy.

Note.—Mr. Crossley saw John Lee as a leader in the rescue, and spoke to him to desist; he replied, he would not, "We will have them out; come out boys."

Copy INFORMATION of *John Shiels*, Esq., Magistrate, sworn before Rev. *J. S. Knox*, 27 July 1830.

STATES, that on the 22d July, he was in the sessions-house of Magherafelt; that there was a great riot and disturbance; there were prisoners rescued: saith, that on leaving the sessions court he saw several persons in a riotous manner, amongst whom he saw James Mars of Leitrim, who appeared to be encouraging and exciting the others.

Copy INFORMATION of *John Irwin*, Constable, sworn before Rev. *J. S. Knox*, 27 July 1830.

STATES, that on the 22d July informant was in the town of Magherafelt, and in the sessions-house, that he saw there two persons whose names, he believes, are John Ellis and John Clarke, both of Tubbermore; that they were aiding and assisting in a riot and rescue there that day, together with several others at present unknown.

Copy INFORMATION of *James Farrell*, junior, of *Drumard*, taken before Rev. *J. S. Knox*, 31 July 1830.

STATES, that on the 22d July last past the informant was in Magherafelt; he was in the sessions-house in the morning; he saw the riot in the sessions-house, and saw the following persons take an active part in the said riot, and in the rescue of the prisoners outside of the sessions-house, viz. William Orrell of Catragh, James Bradley of Gullyduff, Francis Johnstone of Slatterbogue, Samuel Haw, son to Archibald Haw, of Knockloughran, who, as informant believes, is a nailer by trade; Thomas Stewart of Curran, Alexander Hephson of Maghera, and that all those persons were engaged in the riot and rescue of the prisoners; and informant also saw John Morris of Hill-head, near Castle Dawson, in the sessions-house in the morning before the rescue of the prisoners took place.

EXAMINATION of WITNESSES at *Maghera*, 31st July 1830.

Mathew M'Cleane, or *MacErlain*, states, that he was in the sessions court at Magherafelt, on Thursday week the 22d July, he was standing between the bar and the bench, heard Mr. Knox reading the decision of the magistrates, before he concluded the riot commenced in the hall; heard shouts for the prisoners to come out of the bar, and strike it, and endeavour to force it open. The names of the four persons were William Hood of Toherhead, John Hood of same place, John M'Neill of Drumlamph, and John Morris of Killhead, near Castle Dawson; knew them all before; heard those four persons shout and call out for the prisoners to be let out of the bar; knew some of the prisoners, viz. Bartly Kennedy, William Henderson, they were in the bar or dock, and did not appear willing to come out or leave it; heard the following persons beside the four already named, cheering and calling out to have the prisoners let out of the bar, viz. James Anderson of Toberhead, William Ferris of Glennaquirel, John M'Keon of Castle Dawson, Archibald M'Neill of Drumlamph, David Peoples of Ballynogher, and James Speer of Broagh; witness lives in Toherhead; was not in any way connected with either party; is a Roman-catholic; was in the court-house at the time of the rescue from motives of curiosity, and to ascertain how the law would be settled to make the country quiet: witness did not go forward willingly to give information, but he having by accident mentioned his having seen some of the transactions in the court-house, the magistrates, Mr. Sheil and Mr. Hunter, sent for him and took his informations.

This man gave a long account of the frightful state of the court-house, and of the town; witness is afraid that his house will be burned, and his family injured in consequence of being

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being compelled to give evidence. On examination it appears that this man had a dispute with the father of the Hoods, about a road or passage about a year ago; there does not seem to be any doubt of the truth of this witness's statement; believes he told John Larkin what he saw in the court before he was examined by the magistrates.

James Farrell, of Drumard, farmer, is a Roman-catholic, is not any party man; he went to the hill of Drumard, where he saw Mr. Knox and Mr. Crossley in danger of being shot; was in the court-house of Magherafelt on the 22d July 1830, he attended as a witness, he was summoned; was examined by the magistrates; saw the rescue; saw William Orrell of Catragh, coming out of the court accompanying one of the prisoners that was rescued; heard Orrell make use of the following expressions: "Damnation to their papist souls, let them see if their perjury will keep them in now; take your liberty, boys, now when you can get it." Saw James Bradley of Gullyduff, and his two sons, James and John, outside the court-house, shouting, and in a riotous and disorderly manner encouraging the rescue; at this time some of the prisoners were outside the court, and some coming out; about this time witness saw Mr. Crossley taking hold of one of the prisoners, William Orr, who a d been rescued; it appeared to witness as if Mr. Crossley wanted to have Orr brought back, but he was pulled away from him by the mob. Witness saw Francis Johnstone of Slatterbogue, Samuel Haw of Knockloughran, Thomas Stewart of Curran, Alexander Hepson of Maghera, John Morris of Millhead, near Castle Dawson; saw Haw, Stewart and Hepson act as if anxious for the rescue; heard them cheering; saw several persons with Orange ribbons and decorations in the town and court-house; Hepson had an Orange ribbon in his breast; saw John Morris in the court-house in the morning before the rescue, but did not see him after; he was in the house of a man named Lagan, at the time of the rescue was in Lagan's house, and what he saw was from Lagan's house.

Daniel O'Neill, of Dromard, farmer, states, that he was not in the court-house at the time of the rescue, but was a little time before. He was summoned as a witness, and was examined; when witness was going into Magherafelt in the morning, he met Thomas Stewart (mentioned by James Farrell, junior, in his evidence), who asked him where he was going, whether to give evidence to the court; witness said he was summoned, and that he would rather be left at home. Stewart said his law would go like his bill, meaning the Emancipation Bill; and asked did he think any magistrates would take their commissions from them, which their forefathers purchased with their blood; if they did they would cashier them as they did Dawson. Witness replied, "Tom, I thought you were a friendly man." Stewart answered, "No, there would be no more friendship in the country, the friendship is done; do you think you are going to get any law here to-day, if we get any annoyance here, I will take out my gun when I go home, and shoot every papist within a mile round me, the Orange system is stronger than the military and constabulary."

Neill M'Peake.—His evidence not material, he left the court-house before the rescue; he saw the first commencement of the attack by the Orangemen on the 12th. Cannot identify.

John Irwin, constable of police, stationed at Ballynascrene, states, that he recollects the 22d July; was in the court-house of Magherafelt on that day, the magistrates were assembled to investigate the transactions of the 12th July, that occurred at Maghera and the neighbourhood. When the magistrates were about to deliver their decision, witness was sent of a message, was absent about five minutes. On his return saw a great crowd about the court-house; was endeavouring to get into the court, he saw some of the prisoners brought out by the crowd, who were then shouting and making a great noise; knew them to be prisoners, as he saw them in the dock, but did not know their names, or the names of the persons that were actively engaged in the crowd: witness knew a man named John Ellis, and a man called John Clarke. Ellis was shouting, and going towards the body of the court from the door; saw John Clarke struggling with some person, and endeavouring to get from them and go towards the dock. Witness spoke to him, and advised him to go back; he did not take witness's advice, he rushed towards the dock. Soon after witness saw one of the prisoners, William Orr, taken out of the dock, and out of the court-house.

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MULLAGH CASE.

COPY of REPORT of *B. Warburton*, Esq., respecting the *Mullagh* Affray, dated 16 February 1831.

Copy LETTER from *Bartholomew Warburton*, Esq., to Colonel *Gossett*.

Sir, Virginia, 16 February 1831.

I HAVE the honour to report to you, for the information of his Excellency the Lord Lieutenant, that I proceeded to Mullagh last Friday, to inquire into the affray which took place there the last fair day; and after receiving the information of the chief-constable and some of the police, I thought it right to cause a public notice to be posted on the chapel and

and church of Mullagh, and also on the chapel of Moynolty the Sunday following; *see* Copy Notice, No. 1; agreeable to which I attended. The Rev. Robert Sergeant and the Rev. Atkinson Caffry, the only magistrates in this neighbourhood, were kind enough to meet me and lend me their assistance. After spending two entire days and the greater part of this examining witnesses and taking informations, it appears to me that the police acted with great forbearance, and only fired when driven to it in defence of their lives; and when reduced to that extremity, did so with a view to intimidation, as, from all the information we can collect, only one man received a gun-shot wound, and one a bayonet.

Nothing can exceed the terror of the well-disposed and peaceable inhabitants of this part of the country, many of whom keep acts of outrage and violence as secret as possible, least they would be obliged to prosecute. In support of this opinion I beg to refer you to the (inclosed) information of Henry Philips, marked No. 2. He is, in consequence of refusing to enter into security to prosecute, under committal, with the very persons who beat him, to Cavan gaol.

That there is amongst the country people a most extensive organization cannot be for a moment doubted; and also that they are all armed, as all the witnesses we have examined, who volunteered to come forward to prove against the police, admitted that in a very few hours several hundred persons assembled well armed.

It having been reported to me that two priests who had heard of the people collecting to attack the police got between them and the village of Mullagh, and after a good deal to do succeeded in preventing them from going into the town; I wrote to the principal, *see* Copy, Letter and Answer thereto, marked No. 3; yet notwithstanding every witness of the attacking party, that we examined, admitted that they heard and believe, if it was not for Mr. Farrelly, the priest, that they would have attacked the police, no direct evidence could be got, as the party giving it would be an acknowledgment of his being there.

I have not at present time to make copies of all the informations we have taken, or of the examination of the witnesses, to send, or indeed I would not take up his Excellency's time to read them over, as they comprise several sheets of large paper; so that, except those which I conceive bear particularly on this report, I shall not forward any of the rest, except it is the wish of his Excellency. I shall, however, take care and have them all laid before the proper law officers.

No witnesses came forward voluntarily except those who, I believe, are very principal disturbers of the peace; however, I compelled by summonses to bring forward some of the respectable farmers of the country; and I enclose a copy of one information, as it speaks much as to the real state of the country; *see* Copy Informations, marked No. 4. I trust, sir, his Excellency the Lord Lieutenant will approve of the steps taken to ascertain the facts of this case in trying to come at the truth. I have received the greatest assistance from the two magistrates before mentioned, whose local knowledge of the different places and characters of those who came forward was of the greatest possible use. From Captain M'Leod, the sub-inspector of police in this county, I have also received much assistance and information.

I cannot conclude this report, again reverting to the conduct of Mr. Raymond and the police under his command, as I think it but just to state, in my humble opinion they have acted, not only in this instance, but in others which have been reported to me, with the greatest zeal and forbearance; at the same time, when occasion required it, very properly supported the dignity of the situation they held, and which, in the present state of society, is a very difficult task. I am also quite satisfied, from the state of that part of the country, if the police are withdrawn, or their numbers lessened, no person of any respectability can live in the country. At the same time I beg to be understood as not advocating the plan of small police stations, as, from the present state of the country, the ordinary duties of the police must be dispensed with, as nothing but force can be useful.

I have, sir, to apologize for the length of this report, which I have endeavoured to shorten as much as possible.

I have, &c.

On reading this report for those magistrates who assisted me, to know if they agreed with me, they handed me the following, which I took the liberty of submitting.

We, the undersigned magistrates for the county of Cavan, having attended in the town of Virginia during three days to assist B. Warburton, esq., in an investigation ordered by his Excellency the Lord Lieutenant into the affray which took place at the fair of Mullagh on the 28th of January last, do fully and entirely concur in the report and statement made by him of the particulars of that transaction; and, in common with the peaceable and well-disposed inhabitants of this district, do feel greatly indebted to Mr. Warburton for the diligence and integrity manifested by him during the investigation.

Given under our hands this 16th day of February 1831.

(signed) *Atkinson Caffry.*
Robert Sergeant.

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N. B.—In the following Index, the *Figures* following the Names refer to the Questions of the Evidence; 2 *Rep.* to the Second Report; and *App. p.* to the page of the Appendix.

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Duff 8274–8277——Opinion among Orangemen that they have not been fairly dealt with concerning processions, *Gosford*, Earl, 3720–3723——Examination as to the number of instances in which the public peace has been violated in consequence of Orange processions, *Caledon*, Earl, 5418–5449——Nature of those that took place in Lurgan in 1833, and proceedings taken and result thereof, *Hancock* 8818–8824——Examination respecting the dismissal of some of the Lurgan yeomanry corps for walking in Orange processions, *Hancock* 8781–8785——Processions always conducted in the most peaceable manner in Ireland, *Blacker* 8974–8977——Great number of Orange processions last July, and a great many riots took place, *Stovin* 4868–4875——Examination relative to the letter from the Duke of Cumberland, Grand Master of the Orange Institution, on the subject of processions, and the proceedings of the Institution thereon, *Blacker* 2134–2136.

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